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ABSTRACT

This document presents learning materials designed to support school and community activities dealing with the Bicentennial of the U.S. Constitution, and particularly with New York State's role in the nation's constitutional history. The following materials concerning school and community activities are included: "'Congress Shall Make No Law...' A Tribute to the Bill of Rights"; "Creating Your Own Constitutional Bicentennial Celebration" (New York State Imagination Celebration); "Critical Choices for New York: A Study Guide" (Stephen L. Schechter); "Critical Choices for Participation in Government: A Practical Manual for School Citizenship" (Stephen L. Schechter; Hugh B. Hammett); "Critical Choices in Your Community: A Practical Manual for Citizenship Programs" (Stephen L. Schechter; Hugh B. Hammett); "First Ladies of New York State: the Constitutional Era, 1777-1800: Educational Activities for the Seventh Grade Curriculum" (Jane D. Begos); "Four who Dared: Women Who Made History in Rensselaer County" (Richard Jones); "A Matter of Reflection and Choice: The Federalist/Antifederalist Debate" (Rachel Bliven); "Mock Constitutional Conventions for High School Students" (Lawrence F. Woodbridge, with a commentary by Richard B. Bernstein); "Plant a Living Legacy to the Constitution: Trees of Early New York" (Arthur H. Ode Jr.); "Teaching guide for 'The Reluctant Pillar'" (Christine Blumberg); "The United States Constitution and the State's Social Studies Program: Social Studies Grade 7/8 and Grade 11 Curriculum Have New Constitutional Units" (New York State Education Department, Social Studies Bureau); and "This Proposed Constitution: A Debate of the Times, April 1788." This document also contains, in a separate section, the annual and final reports of the New York State Bicentennial Commission. (DB)

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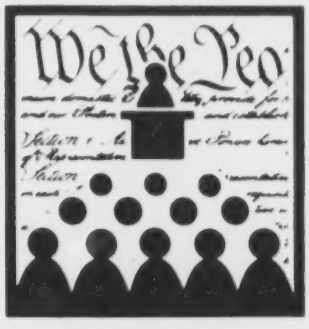
NEW YORK and the BICENTENNIAL



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Contributions to the American Constitutional Experience

SO 022 175

Edited by

STEPHEN L. SCHECHTER

and

RICHARD B. BERNSTEIN

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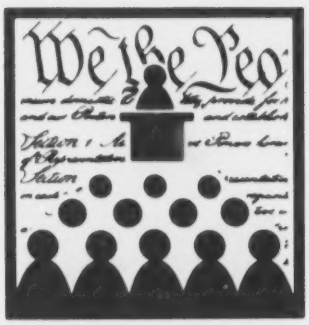

Contributions to the American Constitutional Experience

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Editors' Introduction

The 200th anniversary of the United States Constitution has generated renewed interest in the role of New York and New Yorkers in the ratification of that document—a process of popular consent that legitimized the Constitution and proved the need for completing it with a Bill of Rights. However, that ratification was neither the beginning nor the end of New York's constitutional history. The state's first constitution, adopted in 1777, had been inspired by New York's colonial charters, the development of colonial laws, and the vision of New York's constitution makers. In turn, it exerted a powerful influence on the framing of the federal Constitution a decade later. Its successor state constitutions in 1821, 1846, 1894, and 1938 greatly expanded the powers of government and the protections afforded to our citizens while preserving that basic principle of popular consent.

The Reluctant Pillar: New York and the Adoption of the Federal Constitution (1985; Albany, N.Y.: New York State Bicentennial Commission, 1987) contains essays on the theory, history, people, and places of New York's ratification experience in a basic survey of the period. *New York and the Union* updates that study; in addition, it brings together all of the *New York Notes* and other looseleaf material on New York in the American system published by the New York State Bicentennial Commission. This volume contains more than seventy items organized in four sections, focusing on New York's contribution to the American constitutional experience. The two sections of its companion volume, *New York and the Bicentennial*, recount New York State's contributions to the bicentennial of the Constitution.

New York and the Union

The first section of *New York and the Union* contains various contributions on the origins of constitutionalism in New York, beginning with a general treatment of those origins. Case studies follow on Hiawatha, the Dutch experience, the age of Leisler, John Peter Zenger, the New York experience with church and state, the Albany Congress, the New York Constitution of 1777, and state origins of the national Bill of Rights. This section also includes reprints of *Essays on the Genesis of the Empire State*, published by the New York State Bicentennial Commission in commemoration of the 200th anniversary of the Declaration of Independence.

The second section brings together articles and conference papers on the ratification debate of 1787–88 in New York State. Conference papers were prepared by Jacob E. Cooke, Robert Ernst, Cathy Matson, and John P. Kaminski. The Ratification Conference was co-sponsored with Historic Hudson Valley, organized by Jacob Judd of Lehman College, and held at Federal Hall on May 20–21, 1988, in commemoration of the 200th anniversary of New York State's ratification of the United States Constitution. This section also presents a series of valuable specialized studies by Gaspare J. Saladino cataloguing the newspapers and magazines published in New York, analyzing and explaining the pseudonyms used in the New York "war of words" over the adoption of the Constitution, recounting the means by which the news of the Constitution's ratification in key states was transmitted to the New York ratifying convention meeting in Poughkeepsie, and describing the range and types of celebrations of the adoption of the Constitution in the summer and early fall of 1788. Saladino concludes this section with a comprehensive update of his critical bibliographic guide published in *The Reluctant Pillar.*

The third section presents biographies of New Yorkers who took part in the making and adoption of the Constitution from 1787 to 1789. Included in this section are such well-known figures as Alexander Hamilton and John Jay and such obscure participants as William Duer, Hugh Hughes, and John Lamb. Also included in this section are biographies of New York's two "first ladies"—Cornelia Tappen Clinton and Sarah Livingston Jay—who were married to two of the leading antagonists of the ratification controversy. Governor Clinton receives extensive attention in three papers presented at a conference honoring the memory of the "founding father" of Revolutionary New York; the contributions of John P. Kaminski are particularly noteworthy as previews of his forthcoming biography of Clinton, the first in half a century.

The fourth section profiles New Yorkers who helped shape the development of the Constitution in the nineteenth and twentieth centuries. Susan B. Anthony and Frederick Douglass, James Kent and David Dudley Field, Benjamin Nathan Cardozo and Robert H. Jackson are only some of the cast of characters included in this section, which also includes case studies of such historical topics as New York's participation in the electoral college from 1789 to 1804, the protests launched by the women's suffrage movement during the 1887 centennial of the Constitution, the contributions of New York's women lawyers to their state and nation, and the surprisingly active and prominent role of President Franklin D. Roosevelt in the commemoration of the sesquicentennial of the New York ratifying convention in 1938.

We acknowledge that there are dozens, if not hundreds, of other New Yorkers who might have been included in this section. We refer the reader to such major reference works as Leonard W. Levy, Kenneth Karst, and Dennis Mahoney, ed., *The Encyclopaedia of the American Constitution*, 4 vols. (New York: Free Press/Macmillan, 1986; update volume in progress) for articles on other notable jurists, amendment advocates, constitutional scholars, and political figures important in American constitutional history.

New York and the Bicentennial

The first section of *New York and the Bicentennial* brings together the guides and other materials designed to support school and community activities dealing with state and national constitutional themes sponsored by the New York State Bicentennial Commission. The contributions to this section will enable educators and community leaders to stage a mock constitutional convention, to produce a play on women and the Constitution, to commemorate the Bill of Rights, to celebrate the Constitution, to organize a "Critical Choices" Town Meeting, to plant a living legacy, to teach about the ratification of the Constitution and the "First Ladies" of New York State, and more. Elsewhere, the Commission has published *Living Together Constitutionally*, a special collection of elementary-school activities organized around themes and concepts of the Pledge of Allegiance.

The reader should be aware that some of the titles in the first section of *New York and the Bicentennial* discuss supplementary materials distributed by the Commission during the bicentennial commemoration, but not available in this volume. For example, the teaching packet for "Creating Your Own Bicentennial Constitution Celebration" included a color slide of Howard Chandler Christy's famous mural, "Scene of the Signing of the Constitution of the United States," painted for the 1937–39 sesquicentennial. It also included a sample program produced by our colleagues at the New York State Imagination Celebration for their tableau recreating the Federal Convention of 1787 at Philadelphia. The four-page pamphlet suggesting educational activities relating to our "First Ladies" teaching packet accompanied biographies of Cornelia Tappen (Mrs. George) Clinton and Sarah Livingston (Mrs. John) Jay, reproduced in *New York and the Union*, and a poster of Mrs. Clinton, which is available from the New York State Museum.

The second section of *New York and the Bicentennial* contains the annual and final reports of the New York State Bicentennial Commission established by Chapter 261 of the Laws of 1986. The Commission was in existence for only three years and three months, from the date it became operational on January 5, 1987, to March 31, 1990, when it ceased activities. As stated in its enabling legislation, the Commission's purpose was to promote and coordinate activities commemorating the bicentennial of the United States Constitution and the role of New York State in its adoption. The reports in this section summarize the Commission's activities, publications, and programs for audiences ranging from elementary school to graduate school and beyond. They also include the Commission's grants to worthwhile activities and materials prepared by distinguished co-sponsors to implement the Commission's mandate. In sum, this volume describes the variety of programs and publications developed by and for the Commission to accomplish its mission—its subject is the range of practical implements derived from the biographical and historical materials on the constitutional development of New York State and the American nation found in of *New York and the Union*.[1]

In three ways, both *New York and the Union* and *New York and the Bicentennial* provide a record of the work of the Commission. *New York and the Union* brings together and preserves the looseleaf materials distributed by the Commission which might otherwise be lost due to their ephemeral nature. *New York and the Bicentennial* contains both the guides used in conducting the commemorative programs of the Commission (which now can be used to replicate these programs in future years) and the Commission's reports chronicling the day-to-day activities of the Commission during its brief history.

Other Commission publications organize contributions on a more thematic basis. *The Reluctant Pillar* contains essays on New York State's ratification of the United States Constitution. *Well Begun: Chronicles of the Early National Period* brings together essays chronicling the establishment of the national government in 1789. *Contexts of the Bill of Rights* contains essays on the origins and adoption of the Bill of Rights. *World of the Founders* presents case studies of community life in late eighteenth-century New York, and *Roots of the Republic: Commentaries on American Founding Documents* provides the reader with texts of colonial, state, and national founding documents from the Mayflower Compact to the United States Bill of Rights with commentary by specialists in constitutional and political history.

By comparison, *New York and the Union* and *New York and the Bicentennial* are more eclectic—yet we hope that readers will find them entertaining and edifying records of the many publications and activities of the New York State Bicentennial Commission prepared to meet the immediate needs of the bicentennial commemoration in New York State. We trust that thet will be of use over the years and take this last opportunity to thank some of the many individuals who helped make possible the work of the Commission included in these volumes.

Acknowledgments

New York and the Union and *New York and the Bicentennial* benefit from the contributions of many individuals who have shared their time and expertise. Each author is extended our appreciation for his or her contribution.

A special word of thanks goes to Paul Finkelman who served as editorial consultant for many of the biographical contributions in *New York and the Union*.

We also acknowledge with gratitude the contributions and energy of the many local bicentennial commissions, committees, and other organizations with which this Commission formed so many valuable partnerships in the course of its work.

We also take this opportunity to thank the staff of the Commission, each of whom contributed to this publication. As publications director, Shirley A. Rice was responsible for the editorial production of most of the items in these volumes. Shirley Rice also conceived of the "First Ladies" project, assisted in that effort by Margaret Gordon-Cooke, who also

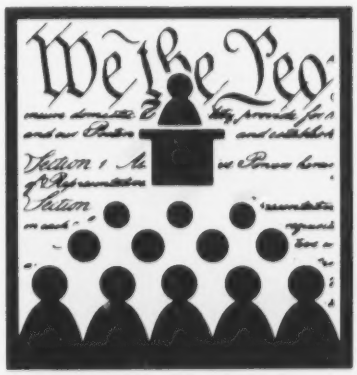
served on the Commission staff. Thomas E. Burke, the Commission's first research director, wrote three of the essays in *New York and the Union* and researched others. Michael J. Phillips, program director, coordinated many of the special events reported in *New York and the Bicentennial*. Stephanie A. Thompson, educational coordinator, organized the educational programs chronicled in that volume, reviewed the educational material presented there, and assisted in preparing the "Critical Choices" material.

Other staff members contributed to the production of these publications and to the many manuscripts and programs which are a part of them. We are grateful to Natalie Irvis and Tracy Sinnott, who handled the secretarial responsibilities of these projects; Margaret Gordon-Cooke, who managed the financial aspects; Cynthia Shorts, executive assistant to the director, who helped supervise the administrative work of the projects; and, collectively, all of the administrative staff who typed (and retyped) many of the seemingly endless stream of manuscripts which found their way into these volumes. Finally, a special word of thanks to Ken Buess and his wife Beth who typeset the manuscripts with a caring and watchful eye; to Dean John E. Sexton of New York University Law School and his staff (Karen Stember, Eva Menon, April Holder, and Rhonda Malvey) for their generosity and patience; to Ene Sirvet of *The Papers of John Jay*, based at Columbia University; and to John P. Kaminski and Gaspare J. Saladino, co-editors of *The Documentary History of the Ratification of the United States Constitution*, University of Wisconsin, for their sage advice and good counsel.

Stephen L. Schechter
Richard B. Bernstein

"Congress Shall Make No Law. . . ."

A Tribute to the Bill of Rights



Monday, September 25, 1989, marks the beginning of a two-year period commemorating the bicentennial of the United States Constitution's Bill of Rights. As part of New York's celebration, Chief Judge Sol Wachtler, the chairman of the New York State Bicentennial Commission, has invited every state judge, city and village mayor, and town and county chief executive to sponsor a special ceremony, "A Tribute to the Bill of Rights."

The ceremony in its simplest form follows, along with a message from Chief Judge Wachtler, his proclamation, and the Bill of Rights. The ceremony can be held in a courtroom or city hall lobby; it can involve students who can read the Bill of Rights or prepare artwork; it can include new American citizens or members of heritage organizations, or it may be simply marked by bellringing and a moment of silent reflection.

Whatever format you choose, your participation in this September 25 program will be welcomed by the Commission. As a token of our appreciation, the Commission will present each participant, upon request, with a copy of the Bill of Rights suitable for framing.

July 30, 1989

Dear Friends:

After many weeks of debate and discussion throughout the summer of 1789, members of the First Federal Congress approved for ratification by the states a list of twelve amendments, drafted by James Madison and reported by a select committee composed of members from each state in the Union.

On September 25, 1789, Congress passed a resolution requesting President George Washington to transmit copies of the proposed amendments to the eleven states in the Union as well as to North Carolina and Rhode Island.

The president acted on October 2. Several state legislatures rejected the first two amendments, dealing with legislative apportionment and congressional salaries. It took two years for the other ten amendments, collectively known as the Bill of Rights, to be adopted by the necessary three-fourths of the state legislatures. New York ratified the Bill of Rights at a meeting of the Council of Revision on February 27, 1790, and ratification by the requisite number of states occurred when Virginia ratified on December 15, 1791.

And whereas we are required by the benevolent principles of rational liberty, not only to expel civil tyranny, but also to guard against that spiritual oppression and intolerance, wherewith the bigotry and ambition of weak and wicked priests and princes, have scourged mankind: This Convention doth further, in the name and by the authority of the good people of this State, ORDAIN, DETERMINE and DECLARE, that the free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall for ever hereafter be allowed within this State to all mankind.

Article XXXVIII
New York State Constitution, 1777

New Yorkers can be justifiably proud of their leadership in the expansion of rights to all of our citizens, beginning with the protection of religious liberty in our first state constitution (1777) and extending to the worker bill of rights found in the state constitution of 1938. As many of our neighbors around the world struggle to achieve the liberties we have enjoyed for generations, it is time to reflect on and celebrate the guarantees expressed in the Bill of Rights.

The following program is suggested as an appropriate format to honor this watershed date in the constitutional history of our country. It may be adapted, to meet local preferences, for classrooms, courtrooms, town halls, churches or temples, and other public meeting places. Please join us in a salute to the Bill of Rights on September 25, 1989.

Sol Wachtler, *Chief Judge of New York State*
Chairman, New York State Bicentennial Commission

"Congress Shall Make No Law. . . ."

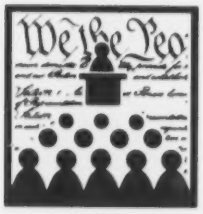
A Tribute to the Bill of Rights

September 25, 1989

PROGRAM

Welcome
Opening Remarks
National Anthem
Reading of the Proclamation
Reading of the Bill of Rights
America, the Beautiful

Proclamation



WHEREAS, 1989 marks the year in which New York State and the nation begin the bicentennial commemoration of our federal Bill of Rights, a document approved in New York City by the First Federal Congress on September 25th, 1789; sent to the states for ratification by President George Washington on October 2nd, 1789; and ratified on December 15, 1791, and

WHEREAS, New York State, under the leadership of Governor George Clinton, had been at the forefront of the movement for a Bill of Rights, petitioning the First Federal Congress, even before it convened, for a special convention to draft a Bill of Rights, and

WHEREAS, New Yorkers can take pride in the fact that we championed the rights of individuals from the beginning of our history, drawing on a rich heritage begun by the Great Law of the Iroquois, advanced by the settlers of Flushing, Long Island, in the Remonstrance of 1657, which condemned a law against religious freedom by declaring they "desired to do unto all men as we desire all men should do unto us, which is the true law of both church and state," and finding constitutional expression in 1777 when New Yorkers adopted their first state constitution containing the strongest provisions of its day guaranteeing the "Free exercise and enjoyment of religious profession and worship," and

WHEREAS, the New York tradition of constitutional compassion for individual rights was quickly acquired by newcomers, such as Peter Zenger, a German immigrant, printer, and newspaper publisher whose famous successful trial defense against charges of seditious libel leveled by the royal governor advanced truth as a defense against libel and thereby helped establish freedom of the press in America, and

WHEREAS, New York State played a significant role in this early struggle to protect individual rights, one of the most stirring chapters of our nation's history and a struggle that can only be paid appropriate tribute by insuring that all Americans continue to work toward making the promise of "liberty and justice for all" a living reality for all Americans,

NOW THEREFORE, I, Sol Wachtler, Chief Judge of the State of New York, do hereby proclaim September 25, 1989, as Bill of Rights Day in the State of New York.

Albany, New York
July 20, 1989

The Bill of Rights

Amendment I. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Amendment II. A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Amendment III. No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

Amendment IV. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Amendment V. No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb, nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

Amendment VI. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed; which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence.

Amendment VII. In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise reexamined in any Court of the United States, than according to the rules of the common law.

Amendment VIII. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment IX. The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

Amendment X. The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Creating Your Own Constitution Bicentennial Celebration

Prepared by the New York State Imagination Celebration in Albany

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Creating A Successful Constitution Bicentennial Celebration

Purpose

To deepen understanding of the Constitution of the United States and to reaffirm faith in its basic principles.

Celebrating the Constitution

This packet is designed for use by schools, counterparts of the New York State Bicentennial Commission, historical societies, and other interested community or regional groups. It presents techniques for planning and presenting Constitution bicentennial events in schools and in the community-at-large. It demonstrates ways of planning, organizing, presenting and publicizing celebrations, as well as methods of involving widespread participation by individuals and groups in the public and private sectors.

It is suggested that groups utilize the packet in ways that best fit their needs. For example, you may wish to: (1) select portions which fit immediate needs, (2) make more extensive use of the packet as time and interest permit, or (3) utilize the entire packet for maximum impact. This material is prepared to assist individuals and groups in celebrating the Constitution bicentennial effectively. Thus it is hoped that the suggestions presented will add to the comfort and enjoyment of your planning efforts.

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Using the Constitution Vignette and the Letters of Martha Washington and Betsy Hamilton

The vignette and letters which follow can be used in celebration(s) to dramatize the historic scene in the Christy painting, to recreate the role of women, and to demonstrate the importance of family life during the formative period of our nation's history. The letters may be used alone or in conjunction with the vignette and/or other bicentennial celebration events. The letters may be read alternately or separately.

The "Constitution Vignette" humanizes the process involved in drafting the Constitution. It can help to rekindle public interest and motivate instructional activities related to our nation's basic governmental document.

Since no women were present at the Constitutional Convention, the letters were prepared for presentations by costumed reenactors portraying Martha Washington and Betsy Schuyler Hamilton. The letters illustrate the important role women assumed as chroniclers of family interrelationships and reflect an age when household management was a significant full-time pursuit.

The attached slide of the Christy painting offers a dramatic backdrop for bicentennial celebrations and demonstrates the enduring quality of the efforts of our founding fathers. The printed program of the Albany opening celebration of New York State's bicentennial is an example of the quality programming that has been tested. It should help you to meet the exciting challenge of creating a successful bicentennial event.

Constitution Vignette

Narrator: The date is Wednesday, June 27, 1787. It is seven o'clock on a steamy summer evening in the city of Philadelphia. Three men have just come back to their boardinghouse from dinner at the Indian Queen tavern. The men are Alexander Hamilton, John Lansing, and Robert Yates. They are the delegates from New York State to the Constitutional Convention.

Yates: Fine dinner.

Hamilton: Marvelous chicken dish.

Yates: Exquisite strawberries.

Lansing: Did you see how much Franklin piled into his plate? He's almost fifty years older than I am and he can still eat and drink me under the table!

Hamilton: Dr. Franklin is a remarkable man.

Yates: Yes, indeed. Remarkable appetite. As I said today, we must have a general government which will protect the state governments. But Franklin's appetite is big enough to gobble up all the states in America before he's finished framing this Constitution.

Lansing: *(Nodding at Hamilton)* He and his *cronies* are finished framing this Constitution.

Hamilton: *(To Yates)* Come now, Judge Yates. You exaggerate. Given, Franklin is a nationalist . . .

Yates: As is General Washington.

Lansing: And Madison.

Yates: And you, Alexander?

Hamilton: My feelings are known. I side with their camp.

Yates: Gobble, gobble, gobble. Open your eyes, Hamilton! They're ravenous, power-hungry men who want an American empire and want us to do their bidding. But we shall not. New York did not send us to Philadelphia to kow-tow to the empire builders.

Lansing: I quite agree.

Yates: Thank you, Mayor.

Lansing: Think about it, Alex. If we continue along the path we're on, why . . . we'll not be able to return to Albany. Governor Clinton will have our heads. We were sent here to protect the independence of New York, not to sell out to these quasi-monarchists. We have lands that stretch west hundreds of miles; we have the port of New York . . . we already have a constitution. What do we need with another one?

Yates: One which would supersede our own.

Lansing: One which would prevent New York from exercising its just claim to the lands in Vermont, and which would tax us unfairly . . . *(Yates interrupts).*

Yates: Here, here.

Hamilton: Gentlemen . . . like it or not, New York, in spite of what George Clinton might think, is a part of the United States now. We fought as one to be rid of the British.

Yates: Exactly! And not to replace one overlord with another! We just booted out one English George.

Lansing: All for what? To have an American George replace him? An American George! A King is a King is a King, Hamilton.

Hamilton: Gentlemen, it's been a very long day. It's hot. We've all had too much to eat and drink. Why don't we retire to our rooms and return to this debate in the morning?

Yates: I'm afraid that is quite impossible.

Hamilton: And why is that?

Yates: Because we won't be here in the morning.

Lansing: Our horses will be saddled and we shall be on our way back to Albany.

Hamilton: But you can't. . . .

Yates: Who says so? Dr. Franklin? As much as he'd like to think the opposite, dear Benjamin is not the Almighty.

Lansing: We're leaving the Convention. It's gotten completely out of hand.

Hamilton: Why that's absurd. Of course there have been problems, and a great deal of work lies ahead, but *leave now?* It's quite unthinkable!

Yates: Sorry, Hamilton. It's our belief that it's become quite impossible to stay.

Hamilton: What will the other delegations think?

Lansing: We really don't care. Do we, Judge Yates?

Yates: We care first and foremost what New York thinks. As should you.

Hamilton: I can't believe what I'm hearing. How selfish. How pigheaded!

Yates: Come along, Mayor. We should be packing.

Hamilton: There's not a man at this Convention who loves his home more than I love mine. New York is very dear to me. Right now my wife is at her parents' —at General Schuyler's mansion—and I long to be with her.

Hamilton: Gentlemen, we are not only New York men. We are *Americans*. This city—Philadelphia—is ours. As is Boston and Charleston. New York fought alongside Virginia and Pennsylvania and Massachusetts to rid us all of the yoke of British tyranny. So we could fashion a new nation. Not thirteen new nations. *One!*

Your "New York against the world" convictions shall spell disaster for America. We must stand together. We must forsake some of our provincial character for the good of the nation.

Yates: I can see why you get along so well with Franklin. You have his gift of gab. Really, Hamilton, we're not arguing for thirteen separate and distinct nations.

Lansing: Not at all.

Yates: Tell him, Mayor.

Lansing: I think you should.

Yates: Very well. It's just that one central government for the United States is impossible. It will never work. The best we can hope for is a mutually supportive confederation.

Lansing: Exactly. From New York to Georgia is over 1,000 miles. How can a law which would work well and serve the interest of New York do anything but harm for Georgia?

Yates: The country's too big. Look how hard it is to govern New York. For that matter, look how hard it is to govern Albany! To think that your noble ideas—your well-considered laws will work for all of America's vast wilderness is absurd. Where do you plan to get the money to support the enforcement of your federal laws? Do you really think a man in Albany, New York, will ever be coerced into paying for a road or a bridge which only benefits a man in Virginia? What taxes, what army will you need to enforce such laws?

Lansing: I quite agree. Alex, get your head out of the clouds.

Yates: Look, Hamilton, you may believe we're leaving you in the lurch. But damn it, man, you and your cronies are just too idealistic. I hope for your sake and the sake of us all you soon come around. Good-bye.

(He exits)

Lansing: Sorry, Alex. Be sure to come round with your lovely bride when you get back to old Albany. Cornelia and I would love to see you.

(Lansing exits)

Hamilton: Provincial burghers! Must I stand alone? I must transcend their pettiness and fight for the ideals of the Revolution.

Narrator: Frustrated by the opposition of Yates and Lansing, at the end of June, Alexander Hamilton left Philadelphia for New York City to attend to his law practice. In August, he would return to Philadelphia, alone, to help complete the work of the Convention. From New York City, Hamilton gave vent to his concerns in a letter to George Washington.

(Hamilton goes to a desk and takes out a pen.)

(While writing)

Dear General Washington,

My anxiety for the event of the deliberations of the Convention induces me to make this communication of what appears to be the tendency of my fellow delegates, Mr. Lansing and Mr. Yates. I believe they are representative of others in the States who will do all they can to subvert the noble intentions of this Convention.

These men love power. Their disposition is to consolidate that which they have, rather than to part with some for the good of our new union. All the passions that we see, of avarice, ambition, interest, which govern these individuals, fall into the current of the States, and do not flow in the stream of the General Government.

But I believe these men are in the minority. I believe the public mind is with us. We are facing a turbulent summer. I beg you, Sir, be strong! Let us not be overcome with fear and indecision. If we are not resolute, we shall let slip the golden opportunity of rescuing the American empire from disunion, anarchy and misery. No motley or feeble measure can answer this end or will finally receive the public support. Decision is true wisdom.

Your humble servant

Alexander Hamilton

(Lansing and Yates re-join Hamilton, and they freeze in a tableau.)

Narrator: The proposed Constitution met with the approval of each state delegation on September 17, 1787. Alexander Hamilton signed the Constitution as the sole remaining delegate from New York State.

Hamilton went on to lead the Federalists at New York's ratifying convention at Poughkeepsie in 1788. Until 1804, Hamilton played many roles as the new nation took shape. In 1804, Hamilton was wounded in a duel with Aaron Burr, and died on July 12th. He was buried in Trinity churchyard in lower Manhattan.

Robert Yates changed his tune about the new government and actually became an ardent Federalist. He ran for governor in 1789 against George Clinton but lost the election. He died in 1801, while serving as a commissioner overseeing land disputes in Onondaga County.

John Lansing returned to Albany where he served as mayor until 1790. He had a distinguished career as a jurist, and, in 1798, was named chief justice of the New York State Supreme Court. In December 1829 he went to New York City on business. On December 12th he left his hotel to post a letter on the late boat to Albany. He was never seen again; his body was never found.

The Martha Washington Letters

May 18, 1787

Dearest George,

I was happy to learn of your safe arrival in Philadelphia! The day you left Mount Vernon was rainy and miserable. I feared for the many river crossings on your way north. The parade and chiming of church bells upon your arrival must have been magnificent. How proud I am of you. Don't worry about the field of hominy beans. They were well-dunged before you left, and a mighty crop is surely in the offing. Keep Franklin away from the ladies or you will never get any work done.

Your loving spouse,

Martha

June 22, 1787

Dearest George,

I was cheered to learn that you are in good health, in spite of the aggravation you suffer at the hands of those tiresome New Yorkers, Yates and Lansing. How happy you shall be when they mount their steeds and troop off home to Albany or whatever other godforesaken place they come from. The hominy beans have come up splendidly and, like us, eagerly await your return. Tell Franklin to keep his pithy sayings to himself, or you will never get any work done.

Your loving spouse,

Martha

The Martha Washington Letters *Continued*

July 16, 1787

Dearest George,

We received Mr. Pine's corrected portrait of you, darling. I think Pine has made you look more noble than before. Your brow is far less furrowed, and now appears to be the brow of a true Roman statesman. The earlier brow was far too common, at least in my opinion. I said nothing about the first brow because you seemed happy with it.

I am glad the other delegates are bickering less, and seem resolved to your much-deserved authority. Mr. Morris's comment that you are "representatives of the whole human race" was very well-put and invests your undertaking with an excellent and requisite import.

I referred your inquiry about our buckwheat crop to your nephew G.A., and he will comply with your orders. It has been stifling here, George. A hot southwestern wind, which put me in mind of Dr. Franklin. Good health to you.

Your loving spouse,

Martha

September 3, 1787

Dearest George,

It infuriates me our own Patrick Henry should suspect *you* of harboring Monarchist sentiments! George the First my foot! I tell you, George, his "states' rights" babble will come back to haunt him. America needs a strong government, and a strong man to lead it. I have never liked Mr. Henry.

George, are you drinking too much tea? You know what that does to your dentures. I know your work is draining, but would not a simple glass of wine serve to quench your thirst? I hope the questionable influence of a certain Dr. Franklin has not destroyed your good judgement relating to matters of personal health.

Your loving spouse,

Martha

September 14, 1787

Dearest George,

How marvelous that you shall soon be here again at our beloved Mount Vernon! Do you really think that the signing is no more than a week away? An impressive and remarkable achievement for you and our nation. That is what everyone who is anyone is saying here in Virginia.

Please be careful on the ride home, George. You are not as young as you were. All will be made ready for you here. There is a veritable bounty of your favorite fruits and vegetables.

Give my regards to Dr. Franklin. Tell him he is always welcome here. I am sure he is too old to make the trip so it can not hurt to be nice.

I eagerly await your return.

Your loving spouse,

Martha

The Betsy Hamilton Letters

Schuyler Mansion
near Albany

May 31, 1787

Dearest Alexander,

You have been gone little more than two weeks, but I really miss you so very much, my darling. Your accommodations in Philadelphia sound spare but adequate; so unlike the house I am enjoying at father's mansion. Every morning sister Peggy and I rise early and walk down to the river. The Hudson is a grand and sparkling sight on these lovely spring mornings. The sloops parade up and down with the winds. How I hope each sail from the south means a letter from you. My heart is glad for the nearness of dear family. But oh, Alexander, I miss you so!

Adieu my angel.

Your loving wife,

Betsy

June 15, 1787

Dearest Alexander,

I find it hard to put quill to paper, my darling. So frustrated and aggrieved am I at the pigheadedness of those Albany men—Yates and Lansing! Why, they are nothing but marionettes of Governor Clinton! Do they not realize that their "New York Before-All" actions presage doom for our infant nation? Send them back to Albany and we Schuyler girls will horse-whip them for you.

Darling, do you not think that you should tone down your ideas about a life-long presidency? The other gentlemen might think you are a Tory in sheep's clothing. That notwithstanding, I did love your idea about an American palace. Perhaps we could build it right here in Albany. Near the Schuyler Mansion. Think of it, darling: a palace on Pearl Street! Of course it will never happen, but you must admire my sense of theater.

Adieu my angel.

Your loving wife,

Betsy

The Betsy Hamilton Letters *Continued*

June 30, 1787

Dearest Alexander,

We have just now received word of your remarkable speech to the Convention about the aims of Confederation. Are you the only man there with clear vision? Are you the only man with wit enough to realize how fragile this infant America really is?

Darling Alex, as sorely as you are missed here, I beg of you—change your mind and stay in Philadelphia. Your law practice will not suffer greatly by your absence. But, without you, the future of our nation is surely in grave danger.

Have courage.

Your loving wife,

Betsy

August 20, 1787

Dearest Alexander,

I was happy to hear that your trip back to Philadelphia was safe and comfortable.

Yes, my darling, it has indeed been a hot summer for us. At times scorching. But now you are back in Philadelphia and we must both get back to business. Your nights (as well as mine) will be much cooler from now on. So salutary for vigorous political activity.

I bid you a fond adieu.

Your loving wife,

Betsy

September 4, 1787

Dearest Alexander,

It hurt me to hear you sounding so vexed, my darling. I know that there is much in this document which you find not to your liking. Perhaps you should put your personal views aside and remember your words about the greater good. As you said back in June: "What provision shall we make for the happiness of our Country?"

If this Constitution falls short, or misses the mark, so be it. It is a start. Yates and Lansing are back here in Albany—making their usual noise and signifying nothing. You alone represent New York. Let your conscience guide you, my darling, but I side with that part of you which says, "sign."

I hope with all my heart you will return to us soon. In a few weeks all the trees here in Albany will be ablaze with their autumn glory. And what better place to enjoy the delights of fall than our palace here on Pearl.

Adieu my angel.

Your loving wife,

Betsy

Securing Reenactors

Reenactors who depict the activities of key signers of the United States Constitution or relive historical events that occurred during the Constitutional period can bring your bicentennial events to life. The slide of the Christy painting, provided in this packet, can be projected in accordance with the instructions provided. It will make an effective backdrop for reenactors who play the roles of figures depicted in the Howard Chandler Christy painting of the signing of the Constitution.

Reenactors can be sought from a variety of sources. You can invite individuals such as the following:

Local luminaries (the mayor of your city or town, leading educators, other distinguished citizens, government officials).

Actors in professional performing arts groups.

Performers in community theaters.

High school drama students.

College students in theater.

Costuming Reenactors

Authentic costumes should be used to create both the grace and realism of the historic scenes you enact. Such costumes can be secured from the following kinds of sources:

A professional costume shop.

A university which presents large theatre productions.

Community theaters.

Performing groups with sewers who would enjoy assisting.

A professional seamstress or tailor who will search for costumes and make or alter them.

Your costumers should be experienced. They should have period costumes available or secure appropriate patterns. They should research library books to insure the creation of authentic styles and the use of fabrics which characterize clothing of the period (woven fabrics, cottons, silks, heavier woolens, as opposed to modern synthetics). One or more professional or volunteer dresser(s) should be available to assist reenactors don their costumes and wigs. Costumes will enhance reenactments and add color and charm to bicentennial events.

Howard Chandler Christy's "Scene of the Signing of the Constitution of the United States"

The Historical Setting

The Philadelphia Convention needed only four days, from Wednesday through Saturday, September 12–15, for its last review of the Constitution. A full two dozen changes were made, another two dozen considered and then rejected. It was at this last moment that "We the people of the United States" was added to the text.

On September 15, around three in the afternoon, the last small detail fell into place, and the Convention was ready to vote on the Constitution as a whole. The president (George Washington) stood to put the final question of the day.

> "On the question to agree to the Constitution amended." All the states, aye."
> The Constitution was then ordered to be engrossed, and the house adjourned.
>
> The hour, Washington noted in his diary, was "6 o'clock."

When the Convention reassembled for the last time on Monday morning, September 17, 1787, forty-one of the Framers were in their seats. Someone read the engrossed Constitution to these men who, by now, must have known its every word by heart, whereupon Dr. Franklin "rose with a speech in his hand." Unable to remain for long on his feet, he handed it to James Wilson of Pennsylvania to read. The speech was designed to create an appropriate climate for the signing, and to prevent any doubters from defecting.

Franklin tossed in a motion dreamed up by Gouverneur Morris, which sought to "gain the dissenting members" by inviting all delegates to sign as witnesses to the fact of "the unanimous consent of the states" on the floor, and thus to create an illusion of concord.

The delegates then approved the engrossed Constitution and made ready to sign. At this moment, Edmund Randolph of Virginia rose to explain that he refused to sign the document, but in doing so "he meant only to keep himself free to be governed by his duty as it should be prescribed by his future judgment." This was too much for Gouverneur Morris. "The present plan," Morris said, was "the best that was to be attained," and since "general anarchy" was the "alternative," he would "take it with all of its faults." After one last exchange, the motion proposed by Franklin passed 10–0, with South Carolina divided.

The delegates then voted to keep up their guard against prying minds by "depositing the journal and other papers of the convention in the hands of the president." Unsure of what to do with all this material, Washington sought guidance and was told to hold on to it tightly and wait for "the order of Congress, if ever formed under the Constitution."

It was at this point, while the delegates were coming forward, one after another, to put their names to the engrossed copy, that,

> Dr. Franklin, looking toward the president's chair, at the back of which a rising sun happened to be painted, observed to a few members near him, that painters had found it difficult to distinguish in their art a rising from a setting sun. I have, said he, often...looked at that behind the president without being able to tell whether it was rising or setting: But now, at length, I have the happiness to know that it is a rising and not a setting sun.

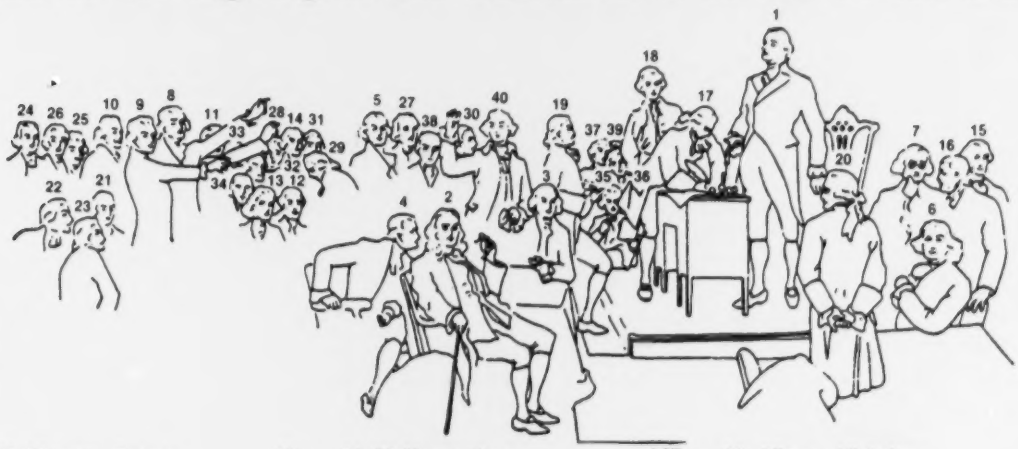
To this famous anecdote Madison then added the last words of his private record:

> The Constitution being signed by all the members except Mr. Randolph, Mr. Mason, and Mr. Gerry who declined giving it the sanction of their names, the Convention dissolved itself by an adjournment sine die.

"The business being thus closed," George Washington wrote in his diary, the delegates walked over to the City Tavern on Second near Walnut, "dined together, and took a cordial leave of each other."

The Christy Painting

"Scene of the Signing of the Constitution of the United States"



1. Washington, George	VA	14. McHenry, James	MD	28. Gilman, Nicholas	NH
2. Franklin, Benjamin	PA	15. Read, George	DE	29. Livingston, William	NJ
3. Madison, James	VA	16. Bassett, Richard	DE	30. Paterson, William	NJ
4. Hamilton, Alexander	NY	17. Spaight, Richard Dobbs	NC	31. Mifflin, Thomas	PA
5. Morris, Gouverneur	PA	18. Blount, William	NC	32. Clymer, George	PA
6. Morris, Robert	PA	19. Williamson, Hugh	NC	33. FitzSimons, Thomas	PA
7. Wilson, James	PA	20. Jenifer, Daniel of St. Thomas	MD	34. Ingersoll, Jared	PA
8. Pinckney, Chas. Cotesworth	SC	21. King, Rufus	MA	35. Bedford, Gunning, Jr.	DE
9. Pinckney, Charles	SC	22. Gorham, Nathaniel	MA	36. Brearley, David	NJ
10. Rutledge, John	SC	23. Dayton, Jonathan	NJ	37. Dickinson, John	DE
11. Butler, Pierce	SC	24. Carroll, Daniel	MD	38. Blair, John	VA
12. Sherman, Roger	CT	25. Few, William	GA	39. Broom, Jacob	DE
13. Johnson, William Samuel	CT	26. Baldwin, Abraham	GA	40. Jackson, William, Secretary	
		27. Langdon, John	NH		

Howard Chandler Christy, the prominent patriotic artist commissioned by Congress in 1939 to do this subject, set up his studio in the sail loft of the United States Navy Yard in Washington, D.C. The culmination of five years of research and study, his painting was completed in one year and unveiled on May 29, 1940. Measuring 20 by 30 feet, the canvas now hangs in the United States Capitol.

Christy endeavored to portray this important event in our history as if he had actually been present to paint it on that memorable September 17, 1787. He was most particular about painting accurately everything as it was, so he visited Independence Hall in Philadelphia on September 17th at the precise time of day the signing took place. He observed just how the light came into the room from the Walnut Street windows. Wherever possible, he copied the original articles. He made every effort to place the delegates as they sat at that final meeting. To assure authenticity of likenesses, Christy obtained 37 original portraits of the signers. The only two missing are indistinctly placed in the background—Jacob Broom of Delaware and Thomas FitzSimons of Pennsylvania. He copied the original Stuart painting for the likeness of James Madison of Virginia, known as the "Father of the Constitution."

The Founding Fathers believed this occasion to be one of the most important of their lives. They wore their finest clothes on that day for they were to put their signatures on America's great document of government—The Constitution of the United States. In many cases, Christy was able to copy accurately the exact clothing worn by these delegates. We see George Washington standing 6 feet 3 inches in height, weighing 190 pounds, 55 years of age, full of health and dignity, as a major focal point in the painting—the President of the Constitutional Convention. The actual clothes worn by Washington, including the watch fob in his hand, are exhibited in the Smithsonian Museum.

Benjamin Franklin, in the center foreground, is depicted as he appeared at age 82, in the beautiful and expensive blue suit he brought from France. Seated at his side is Alexander Hamilton, full of energy, youthful fire, and enthusiasm. On the extreme right sits Robert Morris of Pennsylvania, the "Financier of the Revolution," and behind him, wearing spectacles, is James Wilson, the distinguished Pennsylvania lawyer and the first Associate Justice of the Supreme Court appointed by Washington. Standing in his fine red coat, William Jackson of Pennsylvania, Secretary of the Convention, raises his hand denoting that South Carolina has four delegates who wish to sign. These South Carolina delegates stand with arms raised while Richard Spaight of North Carolina signs with a pen from the boyhood home of Patrick Henry.

The books on the floor by Franklin are works of Thomas Jefferson, and the open Bible on the table by Morris is from that period. On the wall behind Washington's "Sunrise Chair," mentioned in Franklin writings, are the banners of New Hampshire and Maryland regiments along with the original "Stars and Stripes." The drum shown on the wall is now in the Smithsonian Museum. Behind Hamilton, William Livingston of New Jersey leans in front of James McHenry of Maryland, the namesake of Fort McHenry, made famous by Francis Scott Key's "Star Spangled Banner." Daniel Carroll of Maryland, one of the first Commissioners of the District of Columbia appointed by President Washington, stands on the extreme left holding the lapel of his coat.

Howard Chandler Christy

Biography

Howard Chandler Christy was an internationally acclaimed American painter and illustrator during the last of the nineteenth and early twentieth centuries. It was Mr. Christy who painted the mural, "Signing of the Constitution," which is now displayed in the rotunda of the Capitol in Washington, D.C.

Christy was born in Morgan County, Ohio, in 1873. After attending school in Ohio, he went to New York in 1893 to study art under William M. Chase. It was during this period that he decided to be an illustrator. He went to Cuba during the Spanish American War and drew pictures of Theodore Roosevelt's "Rough Riders" in action. His illustrations appeared in *Harper's* and *Scribner's* magazines and in *Collier's Weekly* and firmly established his reputation.

After 1920, he concentrated on painting portraits of prominent contemporaries including William Randolph Hearst, Secretary of State Charles Evans Hughes, and Amelia Earhart.

The United States Constitution Sesquicentennial Commission authorized him to prepare its official poster, entitled "We, the People," which enjoyed wide circulation in 1937–38. It was reproduced on magazine covers and circulated to schools, libraries, and other public places throughout the United States. That poster, in turn, was based upon an allegorical painting of the same name on which Christy worked during 1936–37. It depicts all thirty-nine signers. The painting was exhibited at Independence Hall, and then for years at the Freedom Foundation. It travelled about the country on the Freedom Train in 1947. Christy also designed the official sesquicentennial medallion in 1937.

In 1939, Congress commissioned him to paint a huge (20 by 30 foot) mural depicting the signing of the Constitution. Although sixty-seven years old, Christy worked on it for six hours each day between September 1939 and the end of April 1940. On May 29, 1940, it was unveiled at the rotunda in the Capitol.

Howard Chandler Christy died in New York City on March 3, 1952.

Creating a Backdrop

Suggestions for using the enclosed slide of Howard Chandler Christy's "Signing of the Constitution."

1. The slide can be most effectively presented as a backdrop for your bicentennial reenactments/presentations by using a rear screen projector with a wide angle lens. This will allow reenactors and presenters to stand in front of the projection, assuming the same positions as the forefathers they represent.
2. A front screen projector with a wide angle lens may be used. Reenactors/presenters should then be positioned to the side of the projected image.
3. The slide may be projected onto canvas or another suitable material. The figures and features of the painting may then be outlined and painted as desired to create a backdrop of your own design.

Example of A Celebration Program

New York State's Official Opening Celebration of the Bicentennial of the United States Constitution

The enclosed celebration program will help to provide ideas for a colorful bicentennial event that is appropriate for both schools and community groups. The program included:

- Parade to the stage by dignitaries, reenactors, "Custodians of the Constitution Bicentennial Scroll," Girl Scouts carrying the Constitution scroll, and the fife and drum corps.
- Patriotic music by fife and drum corps at the close of the parade.
- Brief opening remarks by dignitaries.
- Reenactments by distinguished community leaders.
- The reading of letters to their respective husbands by reenactors portraying Martha Washington and Betsy Hamilton.
- A lively musical of favorite toe-tapping patriotic songs from award-winning Broadway musicals.
- A grand finale, at the close of the musical, with confetti cannons, a balloon lift-off, and hand flags for everyone during a "God Bless America" sing-along.
- A public sign-on, using a handsome 50-foot bicentennial scroll, to reaffirm faith in the Constitution. Each signer received a white quill pen.

Events will benefit from pageantry, costumes, music, drama, participation of distinguished leaders and exciting visual effects.

Creating Your Own Constitution Bicentennial Celebration

Who Should Participate?

Leaders . . . Planners . . . Managers . . . Supporters
Advocates . . . Historians . . . Educators . . . Students
Artists . . . Technicians . . . Conceptualizers
Publicizers . . . Contributors . . . Girl Scouts
Boy Scouts . . . Parents . . . The General Public

Leaders in

Government . . . Business . . . Corporations
Community Groups . . . Service Clubs
Cultural and Historical Institutions
and Organizations . . . Professional Associations

Once involved, the people representing these groups will help to make your bicentennial efforts successful by contributing their valuable time, energy, and personal commitment to special celebration events.

The steps and strategies outlined in this guide may be applied to school activities which involve students, teachers, administrators, parents, and the community. Each step described in the following pages may be applied equally to planning and presenting school and community events. Optimum bicentennial efforts will combine the resources of both schools and the community.

STEP 1
Establishing a Coordinating Committee
Strategies

Designate a celebration coordinator, an experienced teacher or community leader, with the necessary commitment, vision, energy, and demonstrated ability to produce bicentennial event(s).

Identify and involve selected volunteers and staff members within the school or supporting institutions to transform the celebration from concept to reality.

Form a coordinating committee, chaired by the teacher or community leader who becomes the celebration coordinator.

Recruit community/corporate leaders who can help in budget development and identify potential sponsors.

Organize regular meetings of the committee to plan and carry out the event(s).

Develop a mutual support network among committee members to build collective responsibility.

Establish methods for documenting and assessing progress and results.

Determine the theme, dates, and sites for projected events.

Rate your achievements: 1-excellent; 2-fair; 3-try harder

Did you, as coordinator . . .

Reach agreements with coordinating committee members regarding their individual and collective roles and responsibilities?

Create a sense of common purpose and a vision of the ultimate celebration(s)?

Select the most appropriate activities for inclusion?

Secure technical and other types of assistance needed to produce a quality, well-planned event?

Credit the efforts of students, teachers, parents, community leaders, and participants, whenever possible?

Meet soon after the event(s) to evaluate results?

STEP 2
Designing and Implementing the Program
Strategies:

Give members of the coordinating committee responsibility for forming essential subcommittees for special parts of the bicentennial celebration.

Provide the necessary support chairs and subcommittee members as they plan the event(s).

Discuss, review and select alternative event activities.

Provide essential technical and volunteer assistance to insure successful presentations.

Plan methods of evaluating the event(s).

Prepare budget, time-lines, space needs, plans for documentation and other requirements.

Rate your achievements: 1-excellent; 2-fair; 3-try harder

Did you . . .

Reach clear agreements regarding assignments, expectations and responsibilities?

Provide guidance as alternatives were explored and relative merits were considered?

Select projects or events which will best fulfill Constitution bicentennial goals?

Identify important details and establish quality standards?

Achieve goals, complete assignments and make maximum use of people's creative and organizational skills?

Secure essential resources and technical support?

Insure that the activities are well presented to the widest possible audience?

Recognize the importance of being a team member? Credit publicly the efforts of those who helped to produce the event(s)?

Evaluate the effort?

STEP 3

Developing Sponsorship and Providing Resources

Strategies

Acquaint leaders of the educational system, government, community agencies, businesses, corporations, cultural and historical organizations and institutions, and parent groups with the goals of the celebration(s).

Work with the school administration, the board of education, official city/town agencies to secure support and resources.

Involve press and media leaders to inform the region through public service announcements and advertisements.

Work with business and corporation leaders to build understanding and support.

Secure advice from supporters to develop a Constitution bicentennial budget for fundraising and securing in-kind services.

Meet with potential sponsors, individually, to seek support for celebration activities: sponsorship, funding and in-kind resources, such as personnel, facilities, and materials.

Establish an honorary committee of chief celebration sponsors.

Rate your achievements: 1-excellent; 2-fair; 3-try harder

Did you . . .

Enlist the cooperation and support of government, school and community leaders?

Work with cultural and historical organizations and institutions, government agencies and school boards to secure personnel, facilities, funds and in-kind support?

Involve press, magazines, radio and television to provide public service coverage of events?

Encourage department stores, supermarkets and other local businesses and corporations to publicize the bicentennial celebration?

Secure cooperation from libraries and other public and private institutions to inform students, teachers and families and the general public about the bicentennial events?

Acknowledge support publicly?

STEP 4

Selecting Events and Presenters

Strategies

Invite students, professional performers, and other possible participants to submit proposals.

Select proposals. Interview and, if appropriate, audition potential performers.

Involve families by including family-oriented school or public events with live performances, reenactments of the signing of the Constitution and participatory activities, including

—parades
—storytelling
—period music and dance
—dramatic performances
—historic reenactments
—public sign-on to affirm faith in the Constitution

Present screened proposals to the coordinating committee for final selection.

Prepare agreements or contracts for all those to be hired; secure signatures and file.

Provide essential technical and other essential assistance for selected proposals.

Invite students, teachers, families and the general public to participate in performances, receptions, family days, and outdoor public events on the Constitution.

Rate your achievements: 1-excellent; 2-fair; 3-try harder

Did you . . .

Plan event(s) that reflect the celebration's theme, goals and requirements?

Obtain all essential information concerning activities?

Plan appropriate activities for your potential audiences with special emphasis on family participation?

Complete and file essential contracts or letters of agreement?

Provide essential information for publicity?

Provide essential technical support?

Insure that activities held are presented to the widest possible audience?

Evaluate the efforts?

STEP 5

Identifying and Enlisting Technical Support People

Strategies

List support services needed to carry out the work of the Constitution bicentennial celebration:

technical support	facilities
clerical services	publicity
participant enrollment	guides/ushers
documentation	evaluation

Secure essential technical support personnel from major sponsoring agencies.

Secure volunteers to assist technical staff.

Provide necessary support to technical staff to insure the success of their efforts.

Rate your achievements: 1-excellent; 2-fair; 3-try harder

Did you . . .

Secure needed services and personnel from existing community agencies, sponsors, volunteers and professional sources?

Complete necessary agreements on technical needs, costs, time requirements, and scheduling?

Negotiate agreements when necessary?

Gain full knowledge of work requirements?

Recognize the importance of technical staff as team members?

Use services efficiently, with the goal of meeting high standards?

Provide public credit for the efforts of the technical staff, whenever possible?

STEP 6

Creating School/Community Awareness Strategies

Interchange between schools and community groups training materials, descriptive publications, posters, and opportunities to participate.

Organize scheduled student attendance at special community events.

Invite the public to school showcases: historical, theater, and arts events on the Constitution.

Develop and distribute a descriptive calendar of school and community events, locations and dates of presentations.

Rate your achievements: 1-excellent; 2-fair; 3-try harder

Did students, teachers, and community groups . . .

Take responsibility for organizing instructional activities related to understanding and interpreting the Constitution?

Present school-developed presentations for the public?

Make appropriate school presentations at bicentennial celebrations?

Make school reservations for community celebration events?

Arrange a schedule for school/community participation in events?

Experience a wide variety of free events which are appropriate for people of all ages, tastes, and interests?

Attend events on family days, lunch hours, afternoons and evenings?

Create awareness of celebration dates and times through public service announcements designed to inform the widest possible audience?

Disseminate information through newspapers, radio, television, libraries, schools, restaurants, stores/supermarkets and other public places?

Prepare schedules, activity guides, posters, banners, and materials descriptive of celebration events?

Evaluate the impact of the programs?

Publicizing Your Constitution Bicentennial Celebration

Publicizing Your Events

It is important to disseminate news and information about your Constitution bicentennial event(s) to the public through word-of-mouth, printed flyers, the mass media and advertising promotions to attract the greatest possible participation. The following basic techniques will be useful in your efforts to promote and publicize.

- Write a PR plan.
- Develop a media contact list.
- Host the press at receptions and at other events.
- Write and make speeches.
- Prepare news and feature releases, bios, fact sheets, photo captions and letters.
- Write public service announcements and arrange for the media to use them.
- Arrange media interviews.
- Write and edit copy for pamphlets, flyers, posters and ads.
- Supervise graphics and printing.
- Solicit corporate sponsorships.
- Coordinate advertising promotions with corporations and media.
- Involve the Constitution bicentennial in other high-visibility community events.
- Arrange cooperative promotional programs with education organizations, community groups and government.

How to Prepare Your Public Relations/ Publicity Plan

Many believe creativity is the essence of public relations. However, it is not only the ingenious ideas which make your public relations campaign successful. It is the care with which details of the campaign are executed. Therefore a complete plan is essential, including components such as the following:

Important Elements of the PR Plan

Goals and Objectives	Target Market
Situation Analysis (the event, background, competing events, future Constitution bicentennial celebrations)	Available Media
	Timetable
	Budget
Special Activities or Programs	Criteria for Evaluation
Volunteers and Equipment	Reporting Procedures

Target Market

What segment of the population will be most likely to participate in your Constitution bicentennial events?

From what geographic area will the events draw participants?

What vehicles are available to publicize your messages?

Timetable, a Key Element

The timetable lists the opportune scheduling of various publicity, promotion, and public relations functions. A calendar format is the easiest to follow.

Although timetables should be followed, the very nature of publicity requires a flexible attitude to accommodate story changes and late-breaking news opportunities.

Budget

It is best to define elements of the public relations budget by linking them to specific activities or programs. For example, it is easier to understand and adjust expenses for a series of pamphlets if the costs are placed into specific categories such as printing, photography, layout, typesetting.

Indicate items which you feel may be available from a corporate donation or in-kind services (donations of publications, writing and design, paper stock, printing) or from corporate sponsorships through supportive funding.

Press Release Writing Tips

- Include the five W's—who, what, when, where, why—in the lead.
- Use the inverted pyramid style of writing—details in order of decreasing importance.
- Be brief—one or two, double-spaced pages.
- Be sure the copies are clean and well typed.
- Indicate a release date or "For immediate release."
- Check *The Associated Press Stylebook* for preferred spellings, abbreviations, capitalizations, use of proper names, etc.
- Use this symbol at the end of the release: -30-.
- Leave enough space at the beginning of the release for the editor to type a head and instructions.

Developing a News Angle

The news angle helps determine the success of your release. A well-written story is often rejected because it is not developed around an interesting news angle or "peg." Try to develop news angles by reflecting basic questions, such as the following, and highlighting these elements in your release.

- Is it new and different?
- Is it timely?
- Are prominent people involved?
- Is there human interest?

- Is there conflict?
- Are there scientific or ecological implications?

Feature Release

If you wish to highlight your subject matter in a way that emphasizes human interest more than straight news, consider a feature release.

A feature release:

- does not have to conform to all of the rules of a news release.
- may be longer.
- can be written in any commonly-accepted style.
- does not have to present information in an order of diminishing importance.
- does not have to be based on current news.

Public Service Announcements

Radio and television stations allow air time for public service messages, which they make available to non-profit organizations and educational institutions. Most stations will assist you in producing either 10-, 20-, or 30-second public service announcements. It is helpful to meet with the public service directors of the major broadcast media to discuss the station's policies, preferences, and availabilities.

Press Kits

A public relations package is much like any other—the prettier it's wrapped, the quicker it's opened! The custom wrap for any publicity campaign is the press kit, an attractive file-size folder containing the following:

- Profiles and bios in an easy-to-read format.
  - —Profiles should focus on the Constitution bicentennial celebration's history and purpose.
  - —Bios should feature individuals in a one-page summary: chairpersons, artists, honored guests.
- Fact sheets providing detailed information in a terse, list-like style, covering the five W's.
- Brochures and pamphlets on the Constitution bicentennial celebration.
- Photographs (usually black and white glossies) with captions.
- Colored photos, slides and transparencies, with color capabilities, for magazines, television, and newspapers.
- Overall release(s) about the event; a series of releases about different facets of the event.
- Video tapes for television, if possible.

News Conference Tips

Call a news conference only when you have an important announcement.

Use a "Notice of News Conference" for the invitations, in fact-sheet format, giving the five W's.

Plan interesting visuals for television and still photographers. (Example: reenactors in costume.)

Remember that the best news days are Monday through Thursday; the best times of day, between 10:00 A.M. and 2:00 P.M.

Be sure to include the wire services' day book editor on your mailing list.

Follow up on the "Notice of News Conference" with a telephone call.

Try to accommodate the deadlines of daily morning and evening local newspapers.

Television and Radio

Begin early to develop a list of the various locally produced television and radio shows. Arrange interviews for members of your Constitution bicentennial team who would be appropriate talk show guests. Include the booking of these shows early in your timetable since talk and public affairs shows on major stations are booked well in advance.

Include radio disc jockeys on your media list, and speak to those you know personally to generate enthusiasm for mention of the bicentennial celebration.

Rate your public relations achievements:
1-excellent; 2-fair; 3-try harder

Did you . . .

Develop a well-rounded public relations committee, including public relations and marketing specialists, writers, advertising experts and media representatives?

Develop a useful public relations plan?

Develop a PR timetable and accomplish all items listed on the schedule?

Utilize most of the publicity functions mentioned above?

Secure all or most of the PR budget items you targeted for in-kind services contributions?

Acquire advertising or public service tie-ins with area retail businesses and media organizations?

Did you secure these types of in-kind items?

posters	radio spots
brochures	television spots
pamphlets/flyers	point-of-purchase promotion materials
banners	bag or bill stuffers
billboards	display space
newspaper ads	other (make your own list)

Rate your publicity achievements:
1-excellent; 2-fair; 3-try harder

Did editors use your releases?

Were editors interested in your feature suggestions?

Did radio and television stations use public service messages about the Constitution bicentennial celebration?

Did newspapers contribute promotion space?

Were your photographs effective for media use?

Did you develop media outlets beyond the usual daily newspapers, radio, and television stations?

Were press conferences well attended by the media?

Did they result in good media coverage?

Did you succeed in booking bicentennial celebration guests on all or most of the locally produced television and radio talk shows and public affairs shows?

Did the major media cover your bicentennial events?

Securing Volunteers for Your Constitution Bicentennial Celebration

SUGGESTED STRATEGIES

Appoint a Coordinator of Volunteers

Volunteers are an extremely important resource in the success of your bicentennial events. They provide vital human resources and serve an important public relations function by making the many facets of your community aware of the program. An organized search for volunteers and the appointment of a coordinator of volunteers by the Constitution bicentennial celebration coordinating committee will serve as recognition of this valuable service.

Define Coordinator's Responsibilities

The coordinator of volunteers must possess sound organizational skills and the ability to work with people of diverse backgrounds, ages, talents, and skills. With the cooperation of the coordinating committees, the coordinator of volunteers should assume responsibility for (1) determining specific needs for volunteers to fulfill, (2) recruiting, orienting, scheduling, and evaluating volunteers, and (3) recognizing volunteer contributions and accomplishments.

The volunteer coordinator should attend all coordinating committee meetings to gain essential knowledge about celebration objectives and procedures for projected events. The coordinator can then determine volunteer roles and responsibilities and specify tasks to be undertaken.

Recruit Volunteers

Once the needs for volunteers are determined, the coordinator should focus on recruitment. Creating awareness of and interest in the Constitution bicentennial celebration is the first step.

It is important to prepare a list of potential volunteers, beginning with suggestions from the coordinating committee. Also, it is helpful to request volunteers through local community group bulletins or newsletters. Parents frequently become active volunteers in both school and community programs.

Helpful community groups might include:

Voluntary Action Centers
Parent Groups
Volunteer Placement Bureaus
City, County, and State Offices of Volunteerism
Local Museums
Historical Societies
Civic Organizations
Service Clubs
Girl Souts
Boy Scouts
Local Universities, Colleges and High Schools
YMCA and YWCA
Neighborhood Associations
Church Organizations
Retired Citizens Organizations

Recruitment depends largely on the successful reputation of a program within the community. Once you have attracted potential volunteers, be prepared to review bicentennial materials with them, including the following:

State commission or local brochures
Flyers and posters
Significant newspaper coverage
Radio or television public service announcements

Create a Mailer and Follow Up Positive Responses

A mailer can provide the following: (1) information on your bicentennial celebration, (2) descriptions of your volunteer needs, and (3) announcements of plans for orientation of volunteers. It can provide a tear-off, return sign-up form and an opportunity to request more information.

Following up each positive response is critical. A telephone call indicates genuine interest and provides an opportunity to assess the individual's degree of commitment. A date for further contact should be scheduled.

Telephone calling is a highly effective, yet time-consuming recruitment method. Contacting one individual may take as many as five calls. Weekends (especially Sunday) are the most successful contact times. It is effective to identify a core of individuals who will contact a number of potential recruits. The coordinator of volunteers should supervise telephone activities. Positive responses should be added to the growing list of volunteers who will ultimately receive orientation for their new responsibilities.

Orient Volunteers

Personal communication is the primary ingredient in volunteer orientation. It is important to define objectives and procedures of the Constitution bicentennial celebration, identify roles, and describe specific tasks. This information dispels confusion and anxiety, and builds knowledge and security.

The volunteer coordinator should:

- work with events coordinators to prepare an agenda for the orientation program.
- include presentations from events coordinators to detail specific needs, time commitments, activities and responsibilities.

- have volunteers select desired events and tasks with a full understanding of time requirements.
- arrange location and time of orientation session(s).
- include directions to the meeting place, and, if necessary, provide parking permits.
- arrange space needs, desired room arrangement, and essential audio-visual equipment with the facility staff. Telephone follow-up is often necessary.
- arrange for light refreshments and insure timely delivery.
- develop materials for distribution at the session.

Materials might include (1) a folder of promotional brochures; (2) a calendar of events with space for volunteer notations; (3) a general task sheet; (4) a volunteer commitment form indicating name, address, telephone number, Social Security number, license plate number and an area to indicate selected event(s) and time(s). Ample time should be provided for volunteers to complete this form, and forms should be collected at the close of the session.

The orientation session will provide the coordinator of volunteers with tangible commitments to use in staffing events. Now, a working schedule can be developed, and the coordinator can assume the responsibility of reconfirming volunteer assignments and informing volunteers of possible schedule changes. The volunteer coordinator and events coordinators should plan small group orientation sessions at each event location. These sessions should include rehearsal of specific responsibilities and procedures. Special arrangements may be necessary to gain access to the facility at the time group orientations are scheduled.

Evaluate Your Volunteer Program

Evaluation of the volunteer program is essential on a continuing basis. Volunteers, themselves, are integral to the evaluation process. They help to identify effective practices and opportunities. Their comments and recommendations serve as a realistic basis for continuous improvement. It is important to discuss possible program improvements with volunteers, as well as ways in which they also can develop more effective techniques.

Thank Your Volunteers

Recognizing accomplishments of volunteers and thanking them for their service is one of the most important aspects of a successful program. There are countless kinds of recognition which help volunteers to realize that they are genuinely appreciated. Some methods include special receptions, written notes, certificates of appreciation, and awards. The most satisfying "thank you" occurs when your volunteer program is sought and utilized by other volunteer organizations. A team effort heightens the volunteer's sense of ownership and results in creative thinking and productivity on behalf of the bicentennial celebration, its programs and goals.

Rate your volunteer achievements:
1-excellent; 2-fair; 3-try harder

Did you . . .

Appoint an experienced coordinator of volunteers?

Create a calendar of your bicentennial events for volunteers?

Develop a list of potential volunteers and community groups?

Recognize the importance of seeking parents as volunteers?

Request volunteers through community group bulletins or newsletters?

Identify a core of individuals for volunteer recruitment by telephone?

Create a mailer that clearly outlines your schedule and bicentennial program, describes volunteer needs, announces date(s) and place(s) for orientation of volunteers and provides a tear-off return sign-up form?

Seek positive responses re: participation by telephone?

Arrange location and time of orientation session(s)?

Prepare an agenda for the orientation programs in collaboration with events coordinators?

Outline specific needs, time commitments, nature of activities and responsibilities in collaboration with events coordinators?

Arrange for technical support, such as audio-visual equipment?

Develop a task description sheet providing room for volunteers to check event(s) and time(s)?

Send volunteers directions to meeting place(s) and, when necessary, provide parking permits?

Arrange refreshments for volunteers?

Evaluate your volunteer program, based on the responses of volunteers and events coordinators?

Acknowledge volunteer support through local print and electronic media?

Thank your volunteers in a special way?

CRITICAL CHOICES FOR NEW YORK: A Study Guide

By

STEPHEN L. SCHECHTER

New York's Program to Commemorate the Ratification of the Constitution

"Critical Choices: New York and the Constitution" was a major public program of the New York State Bicentennial Commission for 1988. It consisted of three parts: a writing contest, in which New Yorkers were asked to express their opinion about one of today's critical constitutional choices; regional town meetings on June 9, 1988, where New Yorkers participated in a forum exploring the theme of critical constitutional choices; and a statewide convention of citizen-delegates (contest winners and others) at Poughkeepsie on July 25-26, 1988, commemorating the 200th anniversary of New York's ratification of the United States Constitution. This study guide was developed to assist those interested in and preparing for the "Critical Choices" program.

People Make Choices

People make choices. Some people have more options than others; some make better judgments with the options they have. But all people make choices.

What makes constitutional choices different from other kinds of choices is simply this: Constitutional choices set the rules of the game by which other choices are made. What are those other choices? How does our Constitution frame those choices?

All of us make *personal* choices about how we want to live our lives. We decide how we want to appear to others, how we want to face life's obstacles, how seriously we want to take our schooling, how we choose to deal with crises and temptations, and how we choose to relate to others. We decide how long to remain in school, how much value we place on building a family, and how much effort we want to place on cooperating with others.

Our personal choices can also become *public* choices. As consumers, our individual decisions have a cumulative effect on much more than the prices and profits of the goods we buy or reject. When the choice is between domestic and imported products, the tastes of one group, such as the "baby boomers," can affect our country's foreign trade balance. Individual decisions to conserve the purchase of fuel for automobiles and home heating play an important role in the implementation of energy conservation policy. The type of homes we are able to buy or rent shape the community of the future, and that shaping of our social space very much affects the future need for public goods and services, in such areas as crime control, water supply, waste disposal, transportation design, highway safety, the design of public parks, and the provision of other social amenities.

New Yorkers also make public choices in our capacity as citizens. As with other kinds of choices, the first and most basic choice is whether or not to "get involved." And as with personal and consumer choices, the public choices of citizenship are wide-ranging and far-reaching. Immigrants elect to become citizens; youth decide whether or not to take citizenship seriously; citizens choose whether or not to register to vote; voters decide whether or not to cast their vote.

One of the great ironies of politics in this and other states is that the individual citizen counts for much more than he or she realizes. As constituents, New Yorkers would be surprised to discover how much time their elected officials spend in assessing constituent preferences, how few constituents take the time to make their preferences known, and how straightforward it can be to make your views and those of your neighbors heard and, occasionally, heeded.

In the past decade, many public policy issues have been placed on the public agenda as a direct result of citizen pressure. The impact of concerned mothers organized as Mothers Against Drunk Drivers (M.A.D.D.) on highway safety policy, the nationwide effect of the popular vote for California's Proposition 13 on policies to limit government spending and taxation, and the impact of public-opinion surveys and school-budget elections on the resurgence of "back to basics" education in the schools are but three examples of the ways in which citizen preferences can be translated into collective action and, through hard work, into changing public policy.

Finally, citizens become public policy makers in their own right, often without realizing the cumulative effect of their actions. The beauty of our living environment depends on the American penchant for gardening and home improvements; the safety of our highways depends on our common sense behind the wheel; our fate in a court of law depends on the good judgment of our peers in the jury box; the plight of the homeless and others in need depends on our generosity; and the implementation of so many court decisions depends on citizen compliance.

Constitutions Frame Choices

Constitutions set the "rules of the game" by which other choices are made—the goals of the game, the players and their powers and limits, the boundaries of the playing field, and the ground rules for playing the game.

The Goals of the Game. The first and most basic constitutional rule is constitutionalism or the rule of law; that is, an agreement among the players to play by the rules. Other goals of the game are typically written into the preamble of a constitution. Hence, the Preamble of the U.S. Constitution states:

> We, the People of the United States, in Order to form a more perfect union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Added to these goals is the emphasis placed in our state's constitution on freedom: "We, the People of the State of New York, grateful to Almighty God for our Freedom, in order to secure its blessings, DO ESTABLISH THIS CONSTITUTION."

The goals stated in a constitution, of course, are not the only public goals of a free society. Rather, they are the *fundamental* goals of a free society—those goals too precious to leave to chance. In the foreseeable future, it is unlikely that Americans would choose to alter the goals set out in our national Constitution; however, from time to time, Americans have used the opportunity provided by their state constitutions to add goals considered fundamental to the citizens of that particular state. For example, the new constitution of Montana, adopted in 1972, constitutionally enshrines the right of its citizens "to a clean and healthful environment" (Article II, section 3), while the New York State Constitution provides that "Labor of human beings is not a commodity nor an article of commerce" (Article I, section 17).

Eligibility of the Players. In the American system, the public policy game is democratic, but it is not completely open to all individuals. The authority for the game is the people; and this point is underscored in both our national and state constitutions. But not all people are equally entitled to the enjoyment of all the powers and rights set out in those constitutions.

The most appropriate example is the right to vote. This right is granted neither to all individuals nor to all citizens, but rather only to those citizens who are eighteen years of age or older. (U.S. Constitution Amendment XXVI, section 1.)

The point is that the Constitution defines various players. "The people" as a collectivity is the authority for the Constitution and its change. "Persons" are the beneficiaries of certain fundamental rights; other rights, such as political rights, belong to the citizenry; certain segments of the population have fought successfully for their rights to be given constitutional status (e.g., the provision for worker-rights in the New York State Constitution); however, no person may be denied basic rights because of their race or gender.

The Constitution also defines those players eligible to hold government office. The rule of federalism provides for two sets of constitutional governments—national and state—each with their own representatives drawing their authority directly from the people who are sovereign. Co-equal partners in their respective spheres, both governments are subject to the U.S. Constitution and to the laws and treaties of the national government passed in pursuance of that Constitution.

The separation-of-powers rule provides that national and state governments are, in turn, divided into branches—a legislative branch granted powers of law-making, the executive responsible for administering the law, and the judiciary empowered to decide cases involving conflicts arising under the law. Taken together, the rules of federalism and separation-of-powers are designed to confine the players to their own turf. At the same time, the players are governed by a third and pragmatic rule of power-sharing providing common areas within which various players can (and in some instances "must") cooperate in order to complete a particular task. Hence, both national and state governments have the power to tax, while, within each government, both legislative and executive branches are required to enact a tax measure.

Boundaries and Ground Rules. The discussion of the players suggests two basic operating rules of the game: the first is the rule of limited government; that is, each of the governments in our federal system and each of the players within those governments have limits and boundaries defining what they can do and where they can do it. At the same time, American constitutions recognize the need for power-sharing arrangements, not only in the name of checks and balances, but also in the belief that public things are best done by a variety of players each bringing his or her unique perspective to the game and learning how to accommodate his or her perspective and interests to those of the other players. In this sense, the rule of power-sharing becomes the political equivalent of the social rule of pluralism and its expectation that players will play the game with a healthy respect for diversity.

As we look to identify critical constitutional choices facing New York today, we can draw several important lessons from the constitutional rules of the game.

First, our national and state constitutions set out broad goals, such as promoting the general welfare and protecting individual liberty, which provide the reason why one looks to government as part of the solution to a public problem and, at times, as part of the problem itself. Rarely does one seek a solution to a public problem by amending the Constitution itself. The Prohibition Amendment (U.S. Constitution, Amendment XVIII, section 1.) clearly demonstrates the difficulty of regulating social behavior and solving social problems by constitutional amendments. Put simply, constitutions provide the rationale for public action and not the solution itself.

Second, and closely related, constitutional goals, such as the general welfare and individual liberty, can result in a clash of rights when one set of players (whether that be governmental or individual) attempt to pursue one goal at the expense of or without regard for another goal. Behind each constitutional goal is a player or group of players with interests and rights.

Third, the American constitutional tradition typically sees the role of constitutions in public policy-making as a procedural and not a substantive role. When facing a public prob-

lem like the spread of AIDS or drug abuse, one looks to national and state constitutions for an understanding of where the solutions can be found and not what they might be. Again, constitutions set out the players, their powers, and their limits.

Fourth, and closely related, the nature of the constitutional process involves an element of power separation in the name of liberty and power sharing in the name of governance. Virtually every public policy problem from national defense to waste disposal simultaneously involves national, state, and local governments as well as the actions of nongovernmental organizations and individuals on national, state, and local planes.

The hard case for this point is constitutional policy itself, normally thought to be the special preserve of the U.S. Supreme Court. In fact, nothing could be further from the truth. Increasingly, state courts led by the New York State Court of Appeals and the high courts of other innovative states have relied upon their own state constitutions to extend individual rights beyond those guaranteed by the federal Constitution and its Burger–Rehnquist interpretations. Additionally, both the U.S. Congress and the state legislatures play an important role as constitutional policy makers through their respective powers in amending federal and state constitutions. Finally, though indirectly, constitutional policy is made every time individuals, whether they be public officials or private individuals, seek to act constitutionally by making choices within constitutional parameters set by the Constitution itself.

The previous discussion points toward one final lesson: The U.S. Constitution, in the words of one scholar, is an "incomplete document." The U.S. Constitution was intended by the Framers to join and not replace existing state constitutions. That is why the U.S. Constitution could be so brief and could focus entirely on "fundamentals." State constitutions and their governments were then, and remain today, the workhorses of the American federal system. Together, the fifty-one federal and state constitutions complete the American constitutional system, and it is within that system and the power-sharing arrangements which hold it together that most of the solutions to today's critical choices will be found.

Critical Constitutional Choices in American History

Americans are a constitutional people not only because they have a healthy respect for the rule of law, but also because their first public choices have always been constitutional choices. Before the Pilgrims landed, they wrote and signed the Mayflower Compact in which they pledged to live *constitutionally* with one another. That document reads in part:

> Haveing undertaken, for the glorie of God, and advancemente of the Christian faith, and honour of our King and countrie, a voyage to plant the first colonie in the Northerne parts of Virginia, doe by these presents solemnly and mutualy in the presence of God, and one of another, covenant and combine ourselves togeather into a civill body politick, for our better ordering and preservation and furtherance of the ends aforesaid; and by vertue hearof to enacte, constitute, and frame shuch just and equall lawes, ordinances, acts, constitutions, and offices, from time to time, as shall be thought most meete and convenient for the generall good of the Colonie, unto which we promise all due submission and obedience.

The Pilgrims' sense of constitution-making was much like that of other seventeenth-century Englishmen whom they had left behind. In fact, the Mayflower Compact and the colonial charters which followed were designed in part to guarantee colonists their rights as Englishmen and to extend the system of government they left behind. At the same time, the signers of the Mayflower Compact planted the seed of democracy when they voluntarily agreed to "covenant and combine ourselves togeather into a civill body politick." According to the noted historian, Samuel Eliot Morison, the Compact "proves the determination of the small group of English emigrants to live under a rule of law, based on the consent of the people, and to set up their own civil government." The Pilgrim signers demonstrated, as their governor, William Bradford, observed, that an agreement freely entered into "might be as firm as any patent, and in some respects more sure."

As settlers moved west, they brought with them the idea of compacting and covenanting in the wilderness. Throughout the seventeenth and eighteenth centuries, new towns were established under colonial rule with a deeper and deeper commitment to popular consent and the rule of law. The idea of a modern constitution was beginning to emerge, but ever-so-slowly.

In some instances, colonial charters preceded the settlers; in other instances, colonial charters followed the path of settlement. In either case, those colonial charters written in the New World broke new ground in the evolution of constitution making. The New York Charter of Libertyes and Priviledges of 1683, though rejected by the King, provided for the two modern functions of a constitution; namely, framing government and guaranteeing rights. In fact, the Charter begins with those two functions stated as ends: "For . . . better Establishing the Government of this province of New Yorke and that Justice and Right may be Equally done to all persons within the same." However, a colonial charter was just that—"a charter" or grant of powers from the King to the inhabitants. Moreover, the power to make laws was vested not only in the people's Assembly but also in the King's Governor and the Governor's Council.

Less than one century later, on April 20, 1777, New Yorkers finally came into possession of their first constitution as a free and independent people. Written on the urging of the Continental Congress, that constitution sought "to institute and establish such a government as they shall deem best calculated to secure the rights, liberties and happiness of the good people of this colony; and to continue in force until a future peace with Great-Britain shall render the same unnecessary."

For our Revolutionary ancestors, the constitutional demand was not to make colonial government more representative, but rather to establish a new and independent government along republican lines. As Article I of the 1777 New York State Constitution states: "This Convention, therefore, in the name and by the authority of the good people of this State, doth ORDAIN, DETERMINE, and DECLARE, that no authority shall on any pretence whatever be exercised over the people or the members of this State, but such as shall be derived from and granted by them."

The principal drafters of the state's first constitution were reluctant revolutionaries and cautious republicans, concerned about investing too much real power in the people and their representatives. The first state constitution established the principle of separation of powers by vesting the legislative power in the assembly and senate. At the same time, the Constitution sought to check possible excesses of that branch by establishing separate executive and judicial branches and by providing for the principle of shared power embodied in councils of revision and appointment. Moreover, the state's first constitution contained no separate bill of rights, though it did provide a strong guarantee for the free exercise of religion, separation of church and state, trial by jury, the right to vote, and due process. It also provided for the first popularly elected chief executive in American history.

Ten years later, at the Constitutional Convention in Philadelphia, and in the ensuing debate over the ratification of the United States Constitution, New Yorkers divided bitterly over how best to strengthen the Union and preserve the republican principles on which it rested. Federalists, led by Alexander Hamilton, his father-in-law, Philip Schuyler, and John Jay, advocated adoption of the proposed Constitution which provided for a strong national government and no bill of rights. Antifederalists, led by Governor George Clinton and Melancton Smith, believed that a strong union rested on strong states and a federal government limited by a bill of individual and state rights. The speedy drafting of a national bill of rights by the first Congress in September of 1789, which secured individual rights against governmental abuse, was a direct result of the ratification demands and political pressure brought by Antifederalists from New York and other key states. The adoption of a national bill of rights also established the idea that the Constitution could be peaceably changed by the legitimate demands and organized political pressure of committed amendment advocates.

Over the next two centuries, New Yorkers assumed their rightful place in the Union as leaders in the continuing quest to adapt the American constitutional system to the legitimate constitutional demands placed upon it. Senator DeWitt Clinton introduced the Twelfth Amendment to the U.S. Constitution. Susan B. Anthony of Rochester was a leader in the struggle for woman suffrage, while Frederick Douglass, also of Rochester, was a leader in the movement for the abolition of slavery. New Yorkers were also leaders in adapting their own state constitution to new needs and demands. The New York State Constitution of 1846 helped set the national trend toward the popular election of state judges; and the New York State Constitution of 1894 led the way in constitutionally guaranteeing the civil service system and environmental protection. Moreover, New York jurists like Benjamin N. Cardozo have applied both federal and state constitutions through the avenue of constitutional law and its interpretation.

Making Critical Choices Today

Two hundred years ago, New Yorkers faced a critical constitutional choice of first-order magnitude; namely, whether or not to ratify the United States Constitution and join the new Union formed by it. In the spring of 1788, New Yorkers went to the polls and cast their ballots for delegates who would represent them at the state ratifying convention convening on June 17 in Poughkeepsie. Interestingly, New Yorkers voted by a margin of two-to-one for Antifederalist delegates opposed to the Constitution. After much debate, the state convention voted for the Constitution, but only after insisting upon a bill of rights.

Clearly, the choices faced by New Yorkers today are of a second-order significance compared to the fundamental choice made 200 years ago. However, the challenge is no less important today than two centuries ago. If we are to remain a constitutional people, we must think and act *constitutionally* about the public problems we face today.

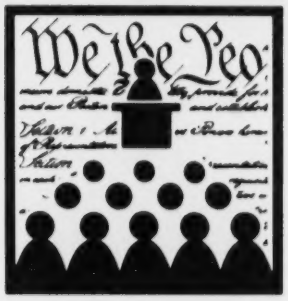
Making constitutional choices requires thinking constitutionally. To enter this process, select a public problem or issue of particular interest to you from one of the following categories: freedom of expression, privacy, equal rights, separation of powers, or federalism and local home rule. Then, address the critical *constitutional* choice posed by that issue.

A final point: Constitutional choices are not reserved for the United States Supreme Court alone. For example, that Court's 1988 decision regarding censorship of student newspapers might best be regarded as the first, not the last, word on the subject. How should school principals exercise their power to censor student newspapers? What recourse and role should students have in that process? What should be the role of other members of the school community? Should school boards be urged to formulate a policy in this area? Should *state* courts find independence and adequate grounds in *state* constitutions extending the state rights of student newspapers beyond the federal rights found by the U.S. Supreme Court? Or, should the state legislature be petitioned to amend the state constitution enabling a student bill of rights? In short, the constitutional game, like any other game, "ain't over 'til it's over."

For Further Reading

Today, New Yorkers can enjoy a rich variety of informative sources on critical constitutional choices facing our state today. One source is the daily newspaper, including not only the major newspapers within your region, but also the *Christian Science Monitor*, the *New York Times*, the *Wall Street Journal*, and the *Washington Post*. (Most public libraries also have the *New York Times Index*, which periodically indexes articles from that newspaper on a subject-by-subject basis.) Another invaluable source of daily news is the *New York Law Journal* which monitors daily developments of the law in New York State. There are also specialized sources for monitoring public issues in New York State. Two of these are the *Legislative Gazette* and the *Empire State Report*. Additionally, there is the weekly television program, "Inside Albany," which airs on public television stations around the state. Finally, the New York State Department of State publishes an edition of the New York State Constitution available in most public libraries.

For national issues, there are a variety of weekly sources. These include: the *Congressional Quarterly Weekly Report*, the *National Journal*, the *Congressional Digest* (which focuses on one issue each week), and *U.S. Law Week* (which monitors weekly developments in federal law).



CRITICAL CHOICES for Participation in Government:

A Practical Manual for School Citizenship Programs

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CRITICAL CHOICES in the Curriculum

Critical Choices: New York and the Constitution was the major public program of the New York State Bicentennial Commission for the bicentennial anniversary commemorating the state's ratification of the United States Constitution in 1788. It consisted of three parts: (1) a writing contest, in which state citizens expressed their opinion about current issues that involved critical constitutional choices; (2) regional town meetings held in early June, 1988, where New Yorkers participated in forums exploring the theme of critical constitutional choices; and (3) a statewide convention of citizen-delegates (contest winners and others) on July 25-26, 1988, at Poughkeepsie, where the Constitution was ratified 200 years ago.

We have developed this practical manual to foster and expand the CRITICAL CHOICES legacy by providing a straightforward, practical manual for educators and students who wish in future years to develop their own CRITICAL CHOICES programs in the schools.

CRITICAL CHOICES relates directly to the Regents' Goals, to the overall goals of the Social Studies Program, and to the development of citizenship skills. As outlined in the Social Studies syllabi of New York State, these skills are grouped into several processes:

(1) The ability to collect, organize, process, and communicate accurate social studies information and ideas;

(2) The ability to identify and investigate issues, generate and test hypotheses, and take and support positions;

(3) The ability to make appropriate decisions, to identify and solve problems effectively, and to initiate appropriate action;

(4) The ability to form or acquire a set of standards and to apply them to the evaluation of assumptions, sources, evidence, reasoning and arguments (critical thinking) and to the evaluation of beliefs, qualities, and behaviors;

(5) The ability to determine and understand their rights and responsibilities and decide how they should be exercised as contributing citizens (citizenship competency).

CRITICAL CHOICES fully encompasses the Grade 12 course, "Participation in Government." As stated in the syllabus for that course, "The primary purpose of the *participation in government* mandate is to facilitate and encourage the development of civic-minded individuals capable of effectively fulfilling the *office of citizen.*" CRITICAL CHOICES is a creative vehicle for accomplishing that goal.

CRITICAL CHOICES also meets the Regents' expectation of Participation in Government as a "*culminating course* that relates the content and skills components of the K-11 social studies curriculum, in particular, and the total educational experience, in general, to the individual student's need to act as a responsible citizen." CRITICAL CHOICES addresses the two major goals of Participation in Government, namely, increasing students' knowledge of: (1) how public policy is formed, implemented, and evaluated; and (2) how citizens affect the public policy process. It accomplishes these goals by focusing the participant's attention on *constitutional* issues and their legal and political decisions.

CRITICAL CHOICES can also enhance specific units of other social studies courses.

In a nutshell, effectively planning and conducting a CRITICAL CHOICES Town Meeting will require students to:

(1) Identify current constitutional issues;

(2) Monitor those issues for a specific period of time;

(3) Form working groups;

(4) Share information gathered;

(5) Formulate policy options;

(6) Present options in the form of resolutions to a fully assembled **town meeting**;

(7) Debate options presented; and

(8) Make their own critical choices by voting on resolutions.

What Is a CRITICAL CHOICES Program?

The CRITICAL CHOICES program is a three-phase process for engaging learners of all ages in active debate and decision making about constitutional issues affecting New Yorkers today.

In the first phase, you, as town meeting coordinator, identify students, teachers, and others who are potential participants; identify the critical issues to be considered, and plan a **town meeting**. Steps one through six in this manual outline this phase.

The second phase is the **town meeting** itself, with group deliberations and plenary decisions. Step seven in this manual describes this event.

The last phase, described in step eight, is the preparation of a final report in which students share with the public, school officials, and appropriate policymakers the decisions reached at the **town meeting**.

The Town Meeting

The **town meeting** is the main event of CRITICAL CHOICES. It is important because it comes as close to an exercise in pure democracy as one is likely ever to find. And, it works when its participants rely upon Thomas Jefferson's admirable phrase, a "decent respect for the opinions of mankind."

The **town meeting** is meant to engage students in free and open discussion about important, contemporary public issues. Issues will vary from one part of New York State to another with concerns reflecting the individuality, history, social and economic conditions, and "personality" of the respective regions.

In format, the **town meeting** consists of three parts:

(1) An **opening ceremony** to welcome participants and explain the agenda.

(2) **Working group meetings** for in-depth discussions of critical issues and the framing of resolutions for consideration by the entire **town meeting**.

(3) **A closing plenary session** to receive resolutions from the working groups, to vote on final resolutions, and to issue a public report.

Why Hold a CRITICAL CHOICES Event?

There are seven major benefits to be derived from holding a CRITICAL CHOICES citizenship program in your school:

(1) A CRITICAL CHOICES program can help students learn to confront difficult, sensitive, and controversial issues *together as citizens.*

(2) CRITICAL CHOICES may also provide a mechanism *to allow diverse elements of your school and community to focus on and express points of view about an important issue of public policy.*

(3) CRITICAL CHOICES promotes *involvement.* Too much of contemporary politics is conducted in the media. CRITICAL CHOICES gives members of the school community the opportunity for *"hands-on experience"* with current issues.

(4) CRITICAL CHOICES has proved to be an exceptionally effective model for advancing *citizenship education*, not simply for young people but also for adults.

(5) CRITICAL CHOICES provides a *constitutional focus* for ongoing political debates. While each person has the right to hold and express an opinion, students will learn that not all opinions are equally grounded in constitutional law and practice.

(6) The CRITICAL CHOICES model helps promote *civility, openness, and a decent respect for others' opinions* when schools and communities confront public issues.

(7) The CRITICAL CHOICES process can *make an impact.* For example, the New York CRITICAL CHOICES '88 program demonstrated that the organized and articulate opinions of concerned citizens have a significant impact not only on local public officials but also filter their way up to state and national policy levels. Make a note to involve local officials if possible in your plans and to send the results of your **town meeting** to school officials and your elected officials at all levels.

Why Make CRITICAL CHOICES an Ongoing Activity?

The benefits outlined previously commend establishing CRITICAL CHOICES as an ongoing or annual event in your school community. It is often difficult to identify manageable activities that promote citizenship awareness and awareness. CRITICAL CHOICES moves beyond celebration and patriotic affirmation to a *practical model* for student involvement in public issues.

Who can sponsor a CRITICAL CHOICES program? Any teacher, student, or group can take on the role, whether associated with a class, club, school, or school district. All that's required is a commitment to public service and a willingness to network with other interested individuals and groups.

Especially important, CRITICAL CHOICES can be *linked to other scheduled school activities, holidays, or historical celebrations.* And, it can be an eagerly awaited event that generates considerable excitement each year as students look forward to a **town meeting** where they can air their views on important public issues.

Additionally, CRITICAL CHOICES is conceived as more than a social studies classroom activity. Teachers have the opportunity, if they wish, to link a whole range of connected activities to build academic skills and personal growth for students: research on contemporary issues, writing about public policy, critical thinking and analysis of policy concerns, public speaking, group dynamics, parliamentary procedure, communications skills, team building and problem solving, events management, public and media relations, leadership, and more.

Finally, CRITICAL CHOICES is a *process* that allows the teacher to supply the *content.* In this way, the teacher can continue to use issue or policy material from such well-established organizations as the Congressional Quarterly, Jefferson Meetings, and the National Issues Forum. Now, the teacher can also have a well-tested activity and process for *utilizing* those materials.

Is CRITICAL CHOICES Manageable?

Emphatically, yes. All it takes to get started is one determined teacher or student who is willing to network with others to create a small steering committee. (Incidentally, nearly all the work in New York's CRITICAL CHOICES '88 was accomplished by volunteers.) If the steering committee can then enlist the support of one or more school organizations (e.g., student government, civics club, parent-teacher organization, social studies department) then the network of interested participants can grow dramatically.

In addition, CRITICAL CHOICES can be done with little or no budget. Because the model relies on school talent and on the participation of students and teachers in their roles as "average" citizens, there is no need to pay experts or outside specialists to be speakers.

Space can be found within the school itself; or, to add drama or the flavor of an historical setting, in nearby public buildings, churches, or civic halls. Promotion can be accomplished through school newspapers, newsletters or special bulletins, library or hall bulletin boards, and the school's public address system.

You may also consider seeking co-sponsors from appropriate outside groups such as civic clubs, veterans organizations, local firms or corporations to provide materials, issue statements, volunteer speakers on special topics, refreshments, or publicity.

All a CRITICAL CHOICES program requires, then, is some time and energy of a few committed people who want to make a difference in their school.

Eight Steps To a Successful CRITICAL CHOICES Program

Step One: Determine Your Goals

Setting clear, realistic, explainable goals is critical to your success. You will need to state your goals clearly when you recruit students, fellow teachers, administrators, parents, or others to serve on your CRITICAL CHOICES steering committee. You will need to articulate clear goals if you seek co-sponsors. Promotion for your event will also be based on your project goals.

How do you write goals that are crisp and easy to explain to others? Goals are best when they can be written in simple language with each goal statement consisting of no more than fifteen to twenty words. It is better to have one or two strong, clear goals than a long list. Goals are also best when they are result-oriented; i.e., they state in some positive way the outcome that you expect from your project. Be clear about the "target audience." Will it be a single class, a combination of classes (e.g., Participation in Government classes), an entire school, or an entire district?

Here's a simple suggestion that might help get you started. Review the introduction to this manual, "What Is a CRITICAL CHOICES Program?" Then, look back at the previous list of seven benefits explained under the section, "Why Hold a CRITICAL CHOICES Event?" Work from these lists to shape one or two goals that are tailored to your own project. Here is an example of a concise goal statement:

> As a citizenship practicum to be included in our schools Participation in Government course, the Social Studies Department will sponsor CRITICAL CHOICES.

Now, practice writing one or two of your own goal statements here:

Incidentally, once you assemble a project steering committee, the group may wish to revise or refine your goals statements. Remember, goals are not "written in stone." They are meant to serve as strong, positive guidelines to keep you, your group, and the CRITICAL CHOICES project on track. Don't hesitate to modify or rewrite your goals if circumstances change.

Step Two: Assemble a Steering Committee

Let us be clear that CRITICAL CHOICES is a marvelously adaptable and simple model that can be used by a single teacher working solely with his or her own students to enrich classroom learning experiences. All of the suggested activities of preparing and conducting a **town meeting** may be done within school time by an enthusiastic class of students who can form their own steering committee and conduct the entire event as a classroom civics exercise. And, CRITICAL CHOICES may even be organized by students who take the initiative to create the project on their own.

There is, however, some value-added benefit in expanding the circle of participants so that the exercise may more nearly mirror public policy discussions in the larger community. If you wish to develop a larger project, you will need to find other teachers, staff, and students who, like yourself, are committed to your goals. CRITICAL CHOICES works best when there is a broad base of school community participation in planning.

If you are a teacher, to get started, you must do what so many women's resource groups have done so well in the past few years: you must *network* within the school. To network, you simply find a friend, fellow teacher, or acquaintance who cares—or whom you can persuade to care—as much about the goals of the project as you. Then each of you finds another committee member, the new members also recruit additional members, and so on.

It also helps to seek steering committee members who can take an open-minded view of public issues. CRITICAL CHOICES works best when the planning is nonpartisan and when many divergent views are encouraged. Of course, you expect and hope to engage students with strong political convictions in your event. But the genius of the **town meeting** as offered in CRITICAL CHOICES is that *many opinions*, whether popular or unpopular, can receive a hearing.

Who are the kinds of individuals who might serve on your steering committee?

- Students from social studies, government, history classes
- Student government representatives
- Members of student organizations such as civics clubs and special interest groups
- Faculty members from social studies and other disciplines (the event might be interesting, for example, to a public speaking class), faculty advisors, school staff and administrators
- Staff of the school newspaper

- School and district bicentennial committees
- Representatives of professional teachers' groups
- Representatives of teachers' unions
- Local government officials
- Representatives from local clubs, civic associations, chambers of commerce, news organizations, veterans' groups, historical societies, libraries, advocacy groups, seniors' groups, neighborhood improvement groups
- Representatives from private companies and labor unions

At an early meeting of the steering committee, the group should elect a student to serve as coordinator. Many necessary duties and functions can be divided up among committee members. Nonetheless, we strongly recommend that you *choose a single person* to coordinate the work of the entire group. The coordinator's role is not to tell other people what to do but, rather, to assure smooth communications among all members of the committee and external contacts. The coordinator should also take the lead in timely scheduling of activities. This coordinator's assignment is a sizeable volunteer undertaking, so pick a "can do" person who has both patience and good humor; and give that leader the committee's enthusiastic support! Sponsoring teachers will want to provide coaching and encouragement not only for the coordinator but for all student members.

How many members do you need on the steering committee? Remember that broad rather than narrow representation is best. In New York's CRITICAL CHOICES '88, we found that twelve to fifteen members was a good range—and that you can expect six to seven individuals to be the most active participants. Since CRITICAL CHOICES is envisioned as a student project, we suggest that most of the committee members be students. If several classes are participating, be sure to include representation from all groups. If your project embraces an entire district, you may wish to have a larger steering committee with active, working subgroups.

After you've gone through the rest of this manual with steering committee members, then go back and allocate major responsibilities and tasks among the group. Here are some of the functions you may wish to divide up:

- Coordinator's role
- Meeting arrangements for **town meeting**
- Budget/finances (unless you are running a no-budget program)
- Promotion and publicity within your school and local community
- Selection and training student program personnel (moderator for **town meeting**, working group facilitators)
- Program materials (if you decide to distribute a written agenda, develop issue papers, etc.)
- Final report to be prepared by a student drafting committee

Step Three: Select the Issues

CRITICAL CHOICES is meant to be contemporary and even controversial. It is a mechanism to direct the searchlight of constitutional thinking on issues that are on teachers' and students' minds at the moment. And, CRITICAL CHOICES strongly affirms that citizens of whatever age, not just lawyers, political scientists, and constitutional specialists, have a powerful stake in government and public policy.

So, how do you choose your CRITICAL CHOICES issue(s)? There are a number of good questions to ask: What is going on in our school and community that has people talking? When people "talk politics," what do they discuss? What has people worked up, especially in the constitutional realm of rights infringed, citizen responsibilities to be assessed, and powers to be assigned? What tough problems must our school and community solve in the next few years? (See the Study Guide at the end of this manual for more information on how to select and research constitutional issues.)

One way to answer these questions is on the basis of factual information gathered through reports in the local news media, background policy material, student surveys, class discussions, and interviews with local officials and community leaders. A class, school, or district essay contest might surface still other issues. Or, study teams of students might work together to develop issue papers outlining various options or solutions.

Remember that issues don't have to be dramatic to be important. The issue of solid waste disposal isn't an attractive problem to consider, but it is an example of a difficult problem for communities in New York—and it has major constitutional ramifications as the rights of various groups are balanced against environmental issues.

In New York's CRITICAL CHOICES '88, issues were identified through a statewide essay contest. More than 500 entries, many written by students, were received from throughout the state. Here are examples of issues that fell into a number of major categories:

- **Right to privacy**
  - Mandatory drug testing
  - Mandatory AIDS testing
  - Freedom of choice (abortion)
  - Death with dignity (choice)
  - Privacy of medical and personal records
  - Right of choice for the homeless
  - Privacy in school and work lockers
  - Privacy of sexual activities among consenting adults
  - Use of lie detectors
- **Freedom of expression**
  - Access to common areas of shopping malls
  - Censorship of school newspapers
  - Nonviolent dissent against government policies without fear of recrimination or surveillance
  - Limitations on campaign contributions
  - Restraints on pornography
  - Privacy of news sources
  - Political action committees (PACs)
  - Protection for traditional Native American religions
- **Equal rights and economic opportunity**
  - The Equal Rights Amendment (ERA)
  - Equal treatment regardless of race, ethnicity, religion, age, disability, gender

- Health and pension benefits
- Equality of educational opportunity
- Pay equity
- Economic democracy with full employment
- Right to a safe, clean environment
- Right to safe, sanitary, affordable housing
- Freedom of choice versus rights of the unborn

- **Governance**
  - Constitutional amendment for child rights
  - Guarantee of high-quality education for children
  - Initiative system to place issues directly before Congress
  - Extension of more effective control over federal agencies
  - Local control, "home rule" versus federalism
  - Government's role in environmental protection
  - Expanded financing for campaigns for public office
  - Limits on number of terms a legislator can serve in Congress
  - The War Powers Resolution and the president's powers
  - Rights of citizens to be informed about the location and disposal of hazardous waste materials
  - Government's role in day care for children
  - Housing, zoning, and economic development in communities
  - Disposal of trash and solid waste

- **Criminal Justice**
  - Capital punishment
  - Compensation/restitution for victims of crimes
  - Programs for first-time offenders
  - Incarceration for habitual offenders
  - Violence in the media, especially on television
  - Drug education
  - Gun control laws

Note that the foregoing issues are only examples of those that surfaced during New York's statewide project. These may not be the specific issues that your school community would like to consider, but this list may give you many ideas to explore with your steering committee.

Experience in our 1988 project suggests that the steering committee should choose the CRITICAL CHOICES issues you will consider *prior to* the scheduled **town meeting**. For one thing, a focus on specific issues in your promotional efforts will help attract a larger "target audience" (i.e., the students and others in the school community who care about those issues will participate eagerly). For another matter, waiting to choose issues at the **town meeting** is awkward and time-consuming; you'll spend all of your time selecting issues rather than considering them in depth in small groups where many more students have a chance to talk.

Therefore, members of the steering committee should deliberate among themselves; and, assuming that they are reasonably in touch with the pulse of the school community, they should select the particular issue(s) for discussion. In New York's CRITICAL CHOICES '88, most **town meetings** considered four or five issues. You should choose from one to five, depending on how much weight you want to give to each issue area. Remember also that many issues are continuing. If an important issue doesn't make it to the agenda this time, there is always another opportunity at a later date for CRITICAL CHOICES and another **town meeting**.

Step Four: Schedule the Town Meeting and Find a Site

It may seem odd to you at first to devote an entire step to scheduling and selecting a site for the **town meeting**. Since the **town meeting** is the heart of the CRITICAL CHOICES process, identifying a time and place is an important task that needs attention as soon as your steering committee makes a final decision to proceed with the CRITICAL CHOICES event.

Remember, too, that CRITICAL CHOICES requires not simply a large assembly area but also break-out rooms that can accommodate working groups of ten to thirty students. Advance planning is required because the **town meeting** event makes a claim on space that greatly exceeds the requirements of everyday class activities.

Here are some suggestions to help you plan:

(1) Determine the potential number of participants. How large an assembly room will be required to accommodate this size meeting? Are these needs best met by a classroom, auditorium, gymnasium, or other area?

(2) Determine how many issues and how many separate working groups you are likely to have. How many break-out rooms will you need? Break-out rooms should be close to the **town meeting** site, and each working group should have its own room. Rooms should be situated so that discussions can occur freely and openly without distractions from other groups.

(3) Determine when the event will be held. Will it be held during or after school hours? During school hours, student participation is guaranteed; scheduling sufficient space may be difficult, however. If held after school hours, student participation becomes purely voluntary although this option does more easily allow for the involvement of parents, other community residents, and students from non-participating classes.

Before making your final decisions, please consult step six on how to plan your **town meeting**.

The following list should be used when you consider a meeting site. We strongly recommend that members of the steering committee make a personal visit and "walk through" the event before making a final decision.

Meeting Site Checklist

- ☐ Adequate auditorium/large assembly hall?
- ☐ Break-out rooms for working groups available?
- ☐ Reception/foyer area for welcome, breaks?
- ☐ Availability of parking, public transportation (if you involve parents or outside groups)?
- ☐ Accessible for the handicapped?
- ☐ Sound system (if you expect a large group)?
- ☐ Cost (any fees for use of space, after-hours janitorial service, security, insurance)?
- ☐ Refreshment/food service available (if desired)?
- ☐ Designated facility contact person to handle problems (e.g., in case doors are locked)? Write that person's name and telephone numbers here:

Name _____

Telephone (Day)_____

Telephone (Evening) _____

Step Five: Identify Co-sponsors

Co-sponsors can bring four big benefits to your project:

(1) Broaden your participant base by tapping the co-sponsors' membership and networks.

(2) Enhance visibility, reputation and credibility in your school and local community if your co-sponsor is a respected organization.

(3) Provide in-kind staff assistance, speakers, material assistance (e.g., printing, refreshments), or even monetary contributions to share the costs of the project.

(4) Contribute actively toward "turning out" an audience. (If you decide to invite external groups outside of school hours, co-sponsors might be requested not to give money but to assure that several representatives attend the **town meeting**.)

Where can you find co-sponsors? Try the same places you looked when you were trying to broaden representation on the steering committee:

- Students from social studies, government, history classes
- Student government representatives
- Members of student organizations such as civics clubs and special interest groups
- Faculty members from social studies and other disciplines (the event might be interesting, for example, to a public speaking class), faculty advisors, school staff, and administrators
- Staff of the school newspaper
- School and district bicentennial committees
- Representatives of professional teachers' groups
- Representatives of teachers' unions
- Local government officials
- Representatives from local clubs, civic associations, chambers of commerce, news organizations, veterans' groups, historical societies, libraries, advocacy groups, seniors' groups, neighborhood improvement groups
- Representatives from private companies and labor unions

In fact, once a group accepts co-sponsor status, you should consider adding a representative to the steering committee.

Step Six: Plan and Promote the Town Meeting

The **town meeting** is meant to engage a class or school community in free and open discussion about important, contemporary public issues. As previously indicated, issues will vary from one part of New York State to another with concerns reflecting the individuality, history, social and economic conditions, and "personality" of your locality and region.

The format of the **town meeting** consists of three parts:

(1) **An opening ceremony to welcome participants and explain the agenda**. You may ask students who are good speakers *briefly* to explain the issues to be discussed, outlining some possible approaches and options. Or, you may have groups of students prepare brief issues papers to be distributed to attendees. (In New York's CRITICAL CHOICES '88, we generally avoided using specialists or their materials, relying rather on interested citizens to have informed opinions about issues that touched their vital interests.) Allow no more than thirty minutes for the opening session.

(2) **Working group meetings for in-depth discussions of critical issues and the framing of resolutions for consideration by the entire town meeting.** Allow at least one hour for working groups of students to meet. Well-briefed student facilitators are essential for each session not only to assure that discussion flows freely and fairly but also to see that focus is retained on the particular issue(s) at hand. (In CRITICAL CHOICES '88, we found that small groups worked best when they focused on a single issues and tried to develop several options in the form of resolutions to present to the plenary session that followed. A group size of ten to thirty participants seemed optimal so that many attendees had several chances to talk.)

(3) **A closing plenary session to receive resolutions from the working groups, to vote on final resolutions, and issue a public report**. Allow at least one hour for the closing session. A fair-minded, objective, but firm moderator is essential. Discussion is necessarily limited in this final hour, and the moderator will need to move to votes on resolutions after very brief periods for questions and further debate.

In New York's CRITICAL CHOICES '88, **town meetings** were held on week-day evenings. We set two-and-a-half hours as the optimum length although some **town meetings** ran for three hours.

To elaborate further on a previous point, the question arose very early in planning CRITICAL CHOICES '88 as to whether we needed specialists such as attorneys, judges, or college professors to serve as "resource peo-

ple" and facilitators. When we conferred with a number of consultants from leading national organizations that sponsor public programs, our consultants advised us to "trust the people." Specialists, they said, tend to take over meetings. Conscientious citizens know what issues vitally concern them, and they have opinions to share if given the opportunity.

CRITICAL CHOICES '88 bore out the wisdom of our consultants' advice. **Town meetings** across New York proved that many citizens are informed about public issues and problems. Our experience also revealed that New Yorkers, like most Americans, have a strong sense of civility and fair play, even when confronting controversial issues. The message, then, is to choose a moderator and facilitators for their abilities in group dynamics, not for their specialized expertise.

CRITICAL CHOICES, after all, is an educational practicum. So it is best, in the authors' opinion, that you create a process where students themselves become specialists about issues that concern them. Outside experts may be used as resources on special topics or to enrich certain pre-**town meeting** discussions. Remember, however, that you should shift as much responsibility as possible to the students themselves for their own learning.

Promotion and Publicity

Promotion and publicity are one of the most important aspects of planning for the **town meeting**. Following is a **strategy sheet** which you can use to plan how to reach your target audience for this event.

At first thought, it may seem that promotion is not an essential undertaking for school programs which have a captive audience. This assumption simply is not true.

First, there is the need to *motivate* students who will participate in the event. Mere membership in the class is not enough. Students need to feel that they are a part of something very special. Motivation can be fueled not only by fostering active involvement in the classroom project but also by reaching out to the larger school population who can, in turn, provide support and enthusiasm for the participating students.

Second, your CRITICAL CHOICES project may serve to inform and educate the larger school population and even the surrounding local community. Promotional efforts can provide *public information* about important critical issues to wider groups of students and citizens. The project offers a kind of "good news" vehicle for the Decade of the Child to illustrate how students can engage in responsible citizenship practices.

Finally, your target audience may include *students from non-participating classes as well as parents and other community residents.* To contact these "non-captive" individuals, you need to develop and implement an active promotional campaign.

Strategy Sheet

Who will be the target audience to participate in your town meeting? Who do you want to reach? Which are their support groups? Who else should be involved? How can you contact them?

How will your program **benefit** everyone who will be involved? Be specific.

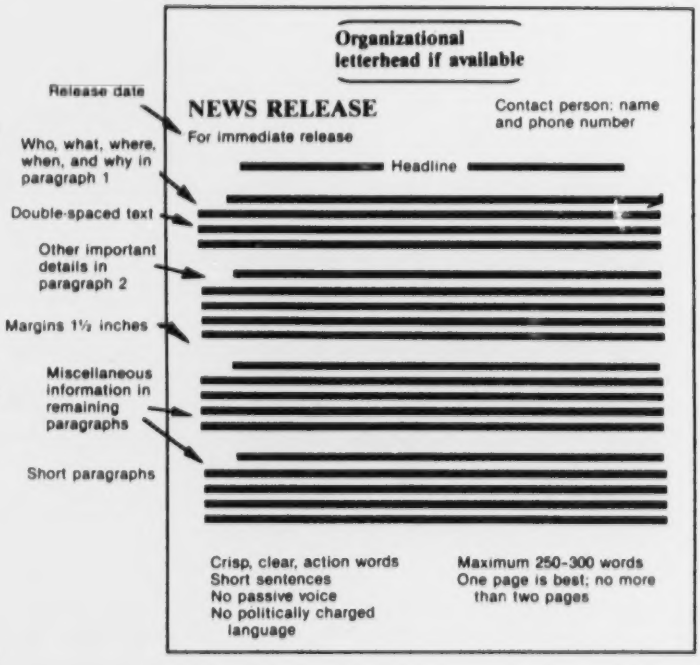
What is **special, unique, interesting, different** about your event? Your goals are important and your event is a worthwhile educational activity. How can you attract attention and support?

What **media can best communicate** to your target groups?

- ☐ Posters/announcements on bulletin boards in libraries, hallways, classrooms
- ☐ Flyers, special bulletins to be distributed or posted
- ☐ Student announcements and presentations at student/faculty meetings, Board of Education meetings, PTA meetings, and classes
- ☐ Press releases to school and local newspapers, newsletters
- ☐ Public service announcements (PSAs) on the school public address system and, perhaps, on local TV and radio
- ☐ Notices provided to faculty, staff, and administrators
- ☐ Calendar/events notices
- ☐ Personal contacts with school organizations
- ☐ Networking

Press Releases and Public Service Announcements

Press releases and public service announcements are one of the best ways to get information out to a wide audience. Preparation of these announcements can be an excellent exercise for students in sharpening their communications skills while also learning how to use news release formats. While there is no guarantee that the media will use them, they represent an alternative to paid advertising that you cannot afford to overlook. Here are some examples and guidelines for **news releases**.



Where to send press releases?

- School and local newspapers. Pick the most appropriate editor (e.g., city editor, features editor, education editor, business editor). Send the release to one editor only.
- Radio and TV stations (news editor)
- Faculty, PTA, or district newsletters (editor)
- School and community calendars, events sections of newspapers and magazines (OK to send here in addition to news editor)
- Television/radio talk shows, interview shows (producer, host)

Public Service Announcements (PSAs)

are another good way to get your message out through the school's PA system, local television, and radio stations. For television stations, if you have a good quality photographic slide representing your event or school, send it along with the PSA text. For radio stations, choose the stations which have a format to match your particular target audience. If CRITICAL CHOICES is for students, try rock stations; for mature adults, try contemporary, jazz, classical, public radio, and "easy listening." "Talk radio" and all-news formats are good bets. In any case, telephone the station for guidelines and format. Get the name of the right person to contact.

Step Seven: The Town Meeting Program

The **town meeting** is your main event, attracting members of the school community to join together in a lively, well-attended, and meaningful experience of discussion, debate, and decision making.

If you have done your planning well, if your promotional work has been timely and on target, and if the steering committee has "networked" to alert interested groups, the **town meeting** should run smoothly.

Plan your agenda carefully and, if you wish, prepare agendas or programs to hand out at the door. The program might include a letter of welcome from your principal, school superintendent, mayor, legislator, or other official.

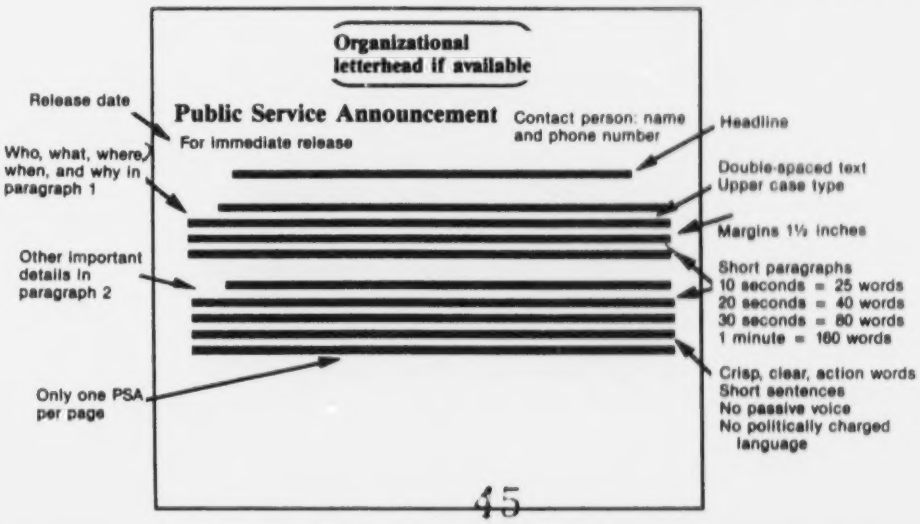
To recapitulate from step six, divide your program into three parts:

(1) **Opening ceremony.** Welcome by moderator, steering committee coordinator, student representatives. You might also consider *brief* welcoming remarks by the principal or superintendent, or by a public official. Presentation of the colors, perhaps by a Boy or Girl Scout group, college ROTC unit, etc. Singing of the National Anthem or *America the Beautiful.* Review the agenda. Briefly review the issue(s) to be discussed in working groups. Ask each group to develop at least three policy options in the form of resolutions that can be presented at the closing plenary assembly. Spend no more than 30 minutes in this session.

(2) **Working groups.** Meetings for discussion of issues and to frame at least three policy options in the form of resolutions that can be considered by the entire **town meeting.** (By allowing three or more options, everyone will have a chance to have their solution put on the agenda.) Student facilitators should expect plenty of vigorous debate. Whenever relevant, facilitators ask how the Constitution connects with the issue under discussion. Allow at least one hour here, and conclude with a brief refreshment break.

(3) **Town Meeting Plenary Session.** Facilitators or designated student spokespersons present resolutions from each working group. The moderator should allow time for questions, clarifications, and limited debate; but, given time constraints, the assembly will not be able to replicate or rehash working group deliberations. Move to votes on resolutions in a timely way. Announce that reports of the resolutions will be prepared and sent by the student drafting committee to the school and local media, school officials, and appropriate governmental officials. Spend one to one-and-a-half hours in this closing session.

In several **town meetings** during New York's CRITICAL CHOICES '88, attendees also completed opinion surveys with several questions on each issue area. The results of those surveys were reported during the plenary session and in the final CRITICAL CHOICES report.



Step Eight: Prepare the Final Report

Public officials throughout New York took a keen interest in the deliberations and resolutions of the **town meetings** in the summer of 1988. Governor Mario Cuomo journeyed to Poughkeepsie on July 26 (anniversary of New York's ratification of the United States Constitution) to a **Critical Choices** State Convention that included a number of participants from **town meetings** around the state. The governor remarked that he was eager to review the resolutions of the **town meetings** and the convention.

Your steering committee should plan to follow up immediately after the **town meeting**. The steering committee should appoint a student *drafting committee* to assure that reports are disseminated while they are still newsworthy. Copies of resolutions and brief explanations may be sent to: student newspapers, school officials, the local news media, city, county, and state legislators, state or federal agency heads, the governor, members of the United States Congress and even the president.

If student citizens' opinions are to have an impact, then the public and public representatives must know what they are. Don't lose this opportunity to share the results of your citizenship program.

Conclusion

We have prepared this practical manual in the hope that teachers and students will find CRITICAL CHOICES to be as rewarding and stimulating an activity as those of us who participated in New York's project in 1988. CRITICAL CHOICES is a people-oriented, Constitution-based exercise in political democracy. Two quotations come to mind as we contemplate the benefits of CRITICAL CHOICES and the blessings of liberty. One is from a modern leader, Jawaharal Nehru:

> *A Constitution if it is out of touch with the people's life, aims and aspirations, becomes rather empty; if it falls below those aims, it drags the people down. It should be something higher to keep people's eyes and minds up to a certain high mark.*

And from George Mason, writing in 1776 in the *Virginia Declaration of Rights:*

> *No free government, nor blessing of liberty, can be preserved to any people, but by . . . a frequent recurrence to fundamental principles.*

A Study Guide Making Constitutional Choices

People Make Choices

People make choices. Some people have more options than others; some make better judgments with the options they have. But all people make choices; it is what separates us from other creatures placed on this earth.

What makes constitutional choices different from other kinds of choices is simply this: Constitutional choices set the rules of the game by which other choices are made. What are those other choices? How does our Constitution frame those choices?

All of us make *personal* choices about how we want to live our lives. We decide how we want to appear to others, how we want to face life's obstacles, how seriously we want to take our schooling, how we choose to deal with crises and temptations, and how we choose to relate to others. We decide how long to remain in school, how much value we place on building a family, and how much effort we want to place on cooperating with others.

What Are Public Choices?

Our personal choices can also become *public* choices. As consumers, our individual decisions have a cumulative effect on much more than the prices and profits of the goods we buy or reject. When the choice is between domestic and imported products, the tastes of one group, such as the "baby boomers," can affect our country's foreign trade balance. Individual decisions to conserve the purchase of fuel for automobiles and home heating play an important role in the implementation of energy conservation policy. The type of homes we are able to buy or rent shape the community of the future, and that shaping of our social space very much affects the future need for public goods and services, in such areas as crime control, water supply, waste disposal, transportation design, highway safety, the design of public parks, and the provision of other social amenities.

New Yorkers also make public choices in our capacity as citizens. As with other kinds of choices, the first and most basic is whether or not to "get involved." And as with personal and consumer choices, the public choices of citizenship are wide-ranging and far-reaching. Immigrants elect to become citizens; youth decide whether or not to take citizenship seriously; citizens choose whether or not to register to vote; voters decide whether or not to cast their vote.

The Individual Counts

One of the great ironies of politics in this and other states is that the individual citizen counts for much more than he or she realizes. As constituents, New Yorkers would be surprised to discover how much time their elected officials spend in assessing constituent preferences, how few constituents take the time to make their preferences known, and how straightforward it can be to make your views and those of your neighbors heard and, occasionally, heeded.

In the past decade, many public policy issues have been placed on the public agenda as a direct result of citizen pressure. The impact of concerned mothers organized as Mothers Against Drunk Drivers (M.A.D.D.) on highway safety policy, the nationwide effect of the popular vote for California's Proposition 13 on policies to limit government spending and

taxation, and the impact of public-opinion surveys and school-budget elections on the resurgence of "back to basics" education in the schools are but three examples of the ways in which citizen preferences can be translated into collective action and, through hard work, into changing public policy.

Finally, citizens become public policy makers in their own right, often without realizing the cumulative effect of their actions. The beauty of our living environment depends on the American penchant for gardening and home improvements; the safety of our highways depends on our common sense behind the wheel; our fate in a court of law depends on the good judgment of our peers in the jury box; the plight of the homeless and others in need depends on our generosity; and the implementation of so many court decisions depends on citizen compliance.

Constitutions Frame Choices

Constitutions set the "rules of the game" by which other choices are made—the goals of the game, the players and their powers and limits, the boundaries of the playing field, and the ground rules for playing the game.

The Goals of the Game

The first and most basic constitutional rule is constitutionalism or the rule of law; that is, an agreement among the players to play by the rules. Other goals of the game are typically written into the preamble of a constitution. Hence, the U.S. Constitution states:

> We, the People of the United States, in Order to form a more perfect union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Added to these goals is the emphasis placed in our state's constitution on freedom: "We, the People of the State of New York, grateful to Almighty God for our Freedom, in order to secure its blessings, DO ESTABLISH THIS CONSTITUTION."

The goals stated in a constitution are, of course, not the only public goals of a free society. Rather, they are the *fundamental* goals of a free society—those goals too precious to leave to chance. In the foreseeable future, it is unlikely that Americans would choose to alter the goals set out in our national Constitution; however, from time to time, Americans utilize the opportunity provided by their state constitutions to add goals considered fundamental to the citizens of that particular state. For example, the new constitution of Montana, adopted in 1972, constitutionally enshrines the right of its citizens "to a clean and healthful environment" (Article II, Section 3), while the New York State Constitution provides that "Labor of human beings is not a commodity nor an article of commerce" (Article I, Section 17).

Eligibility of the Players

In the American system, the public policy game is democratic, but it is not completely open to all individuals. The authority for the game is the people; and this point is underscored in both our national and state constitutions. But not all people are equally entitled to the enjoyment of all the powers and rights set out in those constitutions.

The most appropriate example is the right to vote. This right is granted neither to all individuals nor to all citizens, but rather only to those citizens who are eighteen years of age or older. (U.S. Constitution Amendment XXVI, Section 1.)

The point is that the Constitution defines various players. "The people" as a collectivity is the authority for the Constitution and its change. "Persons" are the beneficiaries of certain fundamental rights; other rights, such as political rights, belong to the citizenry; certain segments of the population have fought successfully for their rights to be constitutionalized (e.g., the provision for worker-rights in the New York State Constitution); however, no person may be denied basic rights because of their race or gender.

The Constitution also defines those players empowered to hold government office. The rule of federalism provides for two sets of constitutional governments—national and state—each with their own representatives drawing their authority directly from the people who are sovereign. Co-equal partners in their respective spheres, both governments are subject to the U.S. Constitution and to the laws and treaties of the national government passed in pursuance of that Constitution.

The separation-of-powers rule provides that national and state governments are, in turn, divided into branches—a legislative branch granted powers of law-making, the executive responsible for administering the law, and the judiciary empowered to decide cases involving conflicts arising under the law. Taken together, the rules of federalism and separation-of-powers are designed to confine the players to their own turf. At the same time, the players are governed by a third and pragmatic rule of power-sharing providing common areas within which various players can (and in some instances "must") cooperate in order to complete a particular task. Hence, both national and state governments have the power to tax, while within each government, both legislative and executive branches are required to enact a tax measure.

Boundaries and Ground Rules

The discussion of the players suggests two basic operating rules of the game: the first is the rule of limited government; that is, each of the governments in our federal system and each of the players within those governments have limits and boundaries defining what they can do and where they can do it. At the same time, American constitutions recognize the need for power-sharing arrangements, not only in the name of checks and balances, but also in the belief that public things are best done by a variety of players each bringing their unique perspective to the game and learning how to accommodate their perspective and interests to those of the other players. In this sense, the rule of power-sharing becomes the political equivalent of the social rule of pluralism and its expectation that players will play the game with a healthy respect for diversity.

Lessons Learned

As we look to identify critical constitutional choices facing New York today, we can draw several important lessons from the constitutional rules of the game.

First, our national and state constitutions set out broad goals, such as promoting the general welfare and protecting individual liberty, which provide the reason why one looks to government as part of the solution to a public problem and, at times, as part of the problem itself. Rarely does one seek a solution to a public problem by amending the Constitution itself. The Prohibition Amendment (U.S. Constitution,

Amendment XVIII, Section 1.) clearly demonstrates the difficulty of regulating social behavior and solving social problems by constitutional amendments. Put simply, constitutions provide the rationale for public action and not the solution itself.

Second, and closely related, constitutional goals, such as the general welfare and individual liberty, can result in a clash of rights when one set of players (whether that be governmental or individual) attempt to pursue one goal at the expense of or without regard for another goal. Behind each constitutional goal is a player or group of players with interests and rights.

Third, the American constitutional tradition typically sees the role of constitutions in public policy-making as a procedural and not a substantive role. When facing a public problem like the spread of AIDS or drug abuse, one looks to national and state constitutions for an understanding of where the solutions can be found and not what they might be. Again, constitutions set out the players, their powers, and their limits.

Fourth, and closely related, the nature of the constitutional process involves an element of power separation in the name of liberty and power sharing in the name of governance. Virtually every public policy problem from national defense to waste disposal simultaneously involves national, state, and local governments as well as the actions of nongovernmental organizations and individuals on national, state, and local planes.

The hard case for this point is constitutional policy itself, normally thought to be the special preserve of the U.S. Supreme Court. In fact, nothing could be further from the truth. Increasingly, state courts led by the New York State Court of Appeals and the high courts of other innovative states have relied upon their own state constitutions to extend individual rights beyond those guaranteed by the federal Constitution and its Burger–Rehnquist interpretations. Additionally, both the U.S. Congress and the state legislatures play an important role as constitutional policy makers through their respective powers in amending federal and state constitutions. Finally, though indirectly, constitutional policy is made every time individuals, whether they be public officials or private individuals, seek to act constitutionally by making choices within constitutional parameters set by the Constitution itself.

The previous discussion points toward one final lesson: The U.S. Constitution, in the words of one scholar, is an "incomplete document." The U.S. Constitution was intended by the Framers to join and not replace existing state constitutions. That is why the U.S. Constitution could be so brief and could focus entirely on "fundamentals." State constitutions and their governments were then, and remain today, the workhorses of the American federal system. Together, the fifty-one federal and state constitutions complete the American constitutional system, and it is within that system and the power-sharing arrangements which hold it together that most of the solutions to today's critical choices will be found.

Critical Constitutional Choices in American History

Americans are a constitutional people not only because they have a healthy respect for the rule of law, but also because their first public choices have always been constitutional choices. Before the Pilgrims landed, they wrote and signed the Mayflower Compact in which they pledged to live *constitutionally* with one another. That document reads in part:

> Haveing undertaken, for the glorie of God, and advancemente of the Christian faith, and honour of our King and countrie, a voyage to plant the first colonie in the Northerne parts of Virginia, doe by these presents solemnly and mutualy in the presence of God, and one of another, covenant and combine ourselves togeather into a civill body politick, for our better ordering and preservation and furtherance of the ends aforesaid; and by vertue hearof to enacte, constitute, and frame shuch just and equall lawes, ordinances, acts, constitutions, and offices, from time to time, as shall be thought most meete and convenient for the generall good of the Colonie, unto which we promise all due submission and obedience.

The Pilgrims' sense of constitution-making was much like that of other seventeenth-century Englishmen whom they had left behind. In fact, the Mayflower Compact and the colonial charters which followed were designed in part to guarantee colonists their rights as Englishmen and to extend the system of government they left behind. At the same time, the signers of the Mayflower Compact planted the seed of democracy when they voluntarily agreed to "covenant and combine ourselves togeather into a civill body politick." According to the noted historian, Samuel Eliot Morison, the Compact "proves the determination of the small group of English emigrants to live under a rule of law, based on the consent of the people, and to set up their own civil government." The Pilgrim signers demonstrated, as their governor, William Bradford, observed, that an agreement freely entered into "might be as firm as any patent, and in some respects more sure."

As settlers moved west, they brought with them the idea of compacting and covenanting in the wilderness. Throughout the seventeenth and eighteenth centuries, new towns were established under colonial rule with a deeper and deeper commitment to popular consent and the rule of law. The idea of a modern constitution was beginning to emerge, but ever-so-slowly.

The New York Experience

In some instances, colonial charters preceded the settlers; in other instances, colonial charters followed the path of settlement. In either case, those colonial charters written in the New World broke new ground in the evolution of constitution making. The New York Charter of Libertyes and Priviledges of 1683, though rejected by the King, provided for the two modern functions of a constitution; namely, framing government and guaranteeing rights. In fact, the Charter begins with those two functions stated as ends: "For . . . better Establishing the Government of this province of New Yorke and that Justice and Right may be Equally done to all persons within the same." However, a colonial charter was just that—"a charter" or grant of powers from the King to the inhabitants. Moreover, the power to make laws was vested not only in the people's Assembly but also in the King's Governor and the Governor's Council.

Less than one century later, on April 20, 1777, New Yorkers finally came into possession of their first constitution as a free and independent people. Written on the urging of the Continental Congress, that constitution sought "to institute and establish such a government as they shall deem best calculated to secure the rights, liberties and happiness of the good people of this colony; and to continue in force until a future peace with Great-Britain shall render the same unnecessary."

For our Revolutionary ancestors, the constitutional demand was not to make colonial government more representative, but rather to establish a new and independent government along republican lines. As Article I of the 1777 New York State Constitution states: "This Convention, therefore, in the name and by the authority of the good people of this State, doth ORDAIN, DETERMINE, and DECLARE, that no authority shall on any pretence whatever be exercised over the people or the members of this State, but such as shall be derived from and granted by them."

The principal drafters of the state's first constitution were reluctant revolutionaries and cautious republicans, concerned about investing too much real power in the people and their representatives. The first state constitution established the principle of separation of powers by vesting the legislative power in the assembly and senate. At the same time, the Constitution sought to check possible excesses of that branch by establishing separate executive and judicial branches and by providing for the principle of shared power embodied in councils of revision and appointment. Moreover, the state's first constitution contained no separate bill of rights, though it did provide a strong guarantee for the free exercise of religion, separation of church and state, trial by jury, the right to vote, and due process. It also provided for the first popularly elected chief executive in American history.

New York in the Union

Ten years later, at the Constitutional Convention in Philadelphia, and in the ensuing debate over the ratification of the United States Constitution, New Yorkers divided bitterly over how best to strengthen the Union and preserve the republican principles on which it rested. Federalists, led by Alexander Hamilton, his father-in-law, Philip Schuyler, and John Jay, advocated adoption of the proposed Constitution which provided for a strong national government and no bill of rights. Antifederalists, led by Governor George Clinton and Melancton Smith, believed that a strong union rested on strong states and a federal government limited by a bill of individual and state rights. The speedy drafting of a national bill of rights by the first Congress in September of 1789, which secured individual rights against governmental abuse, was a direct result of the ratification demands and political pressure brought by Antifederalists from New York and other key states. The adoption of a national bill of rights also established the idea that the Constitution could be peaceably changed by the legitimate demands and organized political pressure of committed amendment advocates.

Over the next two centuries, New Yorkers assumed their rightful place in the Union as leaders in the continuing quest to adapt the American constitutional system to the legitimate constitutional demands placed upon it. Senator DeWitt Clinton introduced the Twelfth Amendment to the U.S. Constitution. Susan B. Anthony of Rochester was a leader in the struggle for woman suffrage, while Frederick Douglass, also of Rochester, was a leader in the movement for the abolition of slavery. New Yorkers were also leaders in adapting their own state constitution to new needs and demands. The New York State Constitution of 1846 helped set the national trend toward the popular election of state judges; and the New York State Constitution of 1894 led the way in constitutionally guaranteeing the civil service system and environmental protection. Moreover, New York jurists like Benjamin N. Cardozo have applied both federal and state constitutions through the avenue of constitutional law and its interpretation.

Making Critical Choices Today

Two hundred years ago, New Yorkers faced a critical constitutional choice of first-order magnitude; namely, whether or not to ratify the United States Constitution and join the new Union formed by it. In the spring of 1788, New Yorkers went to the polls and cast their ballots for delegates who would represent them at the state ratifying convention convening on June 17 in Poughkeepsie. Interestingly, New Yorkers voted by a margin of two-to-one for Antifederalist delegates opposed to the Constitution. After much debate, the state convention voted for the Constitution, but only after insisting upon a bill of rights.

Clearly, the choices faced by New Yorkers today are of a second-order significance compared to the fundamental choice made 200 years ago. However, the challenge is no less important today than two centuries ago. If we are to remain a constitutional people, we must think and act *constitutionally* about the public problems we face today.

Making constitutional choices requires thinking constitutionally. To enter this process, select a public problem or issue of particular interest to you from one of the following categories: freedom of expression, privacy, equal rights, separation of powers, or federalism and local home rule. Then, address the critical *constitutional* choice posed by that issue.

A final point: Constitutional choices are not reserved for the United States Supreme Court alone. For example, that Court's 1988 decision regarding censorship of student newspapers might best be regarded as the first, not the last, word on the subject. How should school principals exercise their power to censor student newspapers? What recourse and role should students have in that process? What should be the role of other members of the school community? Should school boards be urged to formulate a policy in this area? Should *state* courts find independence and adequate grounds in *state* constitutions extending the state rights of student newspapers beyond the federal rights found by the U.S. Supreme Court? Or, should the state legislature be petitioned to amend the state constitution enabling a student bill of rights? In short, the constitutional game, like any other game, "ain't over 'til it's over."

—Stephen L. Schechter

For Further Reading

Today, New Yorkers can enjoy a rich variety of informative sources on critical constitutional choices facing our state today. One source is the daily newspaper, including not only the major newspapers within your region, but also the *Christian Science Monitor*, the *New York Times*, the *Wall Street Journal*, and the *Washington Post*. (Most public libraries also have the *New York Times Index*, which periodically indexes articles from that newspaper on a subject-by-subject basis.) Another invaluable source of daily news is the *New York Law Journal* which monitors daily developments of the law in New York State. There are also specialized sources for monitoring public issues in New York State. Two of these are the *Legislative Gazette* and the *Empire State Report*. Additionally, there is the weekly television program, "Inside Albany," which airs on public television stations around the state. Finally, the New York State Department of State publishes an edition of the New York State Constitution available in most public libraries.

For national issues, there are a variety of weekly sources. These include: the *Congressional Quarterly Weekly Report*, the *National Journal*, the *Congressional Digest* (which focuses on one issue each week), and *U.S. Law Week* (which monitors weekly developments in federal law).

CRITICAL CHOICES in Your Community:

A Practical Manual for Citizenship Programs

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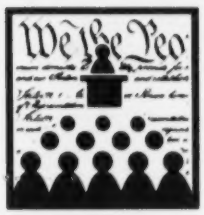


CRITICAL CHOICES in New York

"Critical Choices: New York and the Constitution" was the major public program of the New York State Bicentennial Commission for the bicentennial anniversary commemorating the state's ratification of the United States Constitution in 1788. It consisted of three parts: (1) a writing contest, in which state citizens expressed their opinion about current issues that involved critical constitutional choices; (2) regional **town meetings** held in early June, 1988, where New Yorkers participated in forums exploring the theme of critical constitutional choices; and (3) a statewide convention of citizen-delegates (contest winners and others) on July 25-26, 1988, at Poughkeepsie, where the Constitution was ratified 200 years ago.

We have developed this practical manual to foster and expand the CRITICAL CHOICES legacy by providing a straightforward, practical manual for organizations and individuals who wish in future years to develop their own CRITICAL CHOICES programs.

What Is a CRITICAL CHOICES Program?

The CRITICAL CHOICES program is a three-phase process for engaging community residents of all ages in active debate and decision making about constitutional issues affecting New New Yorkers today.

In the first phase, you, as town meeting coordinator, identify potential participants and critical issues, and plan a **town meeting**. Steps one through six in this manual outline this phase.

The second phase is the **town meeting** itself, with group deliberations and plenary decisions. Step seven in this manual describes this event.

The last phase, described in step eight, is the preparation of a final report in which you share with the public and policymakers the decisions reached at the **town meeting**.

The Town Meeting

The **town meeting** is the main event of CRITICAL CHOICES. It is important because it comes as close to an exercise in pure democracy as one is likely ever to find. And, it works when its participants rely upon Thomas Jefferson's admirable phrase, a "decent respect for the opinions of mankind."

The **town meeting** is meant to engage the citizens of an area in free and open discussion about important, contemporary public issues. Issues will vary from one part of New York State to another with concerns reflecting the individuality, history, social and economic conditions, and "personality" of the respective regions.

In format, the **town meeting** consists of three parts:

(1) An **opening ceremony** to welcome participants and explain the agenda.

(2) **Working group meetings** for in-depth discussions of critical issues and the framing of resolutions for consideration by the entire **town meeting**.

(3) **A closing plenary session** to receive resolutions from the working groups, to vote on final resolutions, and to issue a public report.

Why Hold a CRITICAL CHOICES Event?

There are seven major benefits to be derived from holding a CRITICAL CHOICES citizenship program in your organization or community:

(1) A CRITICAL CHOICES program can provide a vehicle to help concerned individuals confront difficult, sensitive, and controversial issues *together as citizens.*

(2) CRITICAL CHOICES may also serve as a mechanism to allow *diverse elements of a community to focus on and express points of view about an important issue of public policy.*

(3) CRITICAL CHOICES promotes community *involvement.* Too much of contemporary politics is conducted in the media. CRITICAL CHOICES gives ordinary citizens the opportunity for *"hands-on experience"* with current issues.

(4) CRITICAL CHOICES has proved to be an exceptionally effective model for advancing *citizenship education,* not simply for young people but also for adults.

(5) CRITICAL CHOICES provides a *constitutional focus* for ongoing political debates. While each person has the right to hold and express an opinion, not all opinions are equally grounded in constitutional law and practice.

(6) The CRITICAL CHOICES model helps promote *civility, openness, and a decent respect for others' opinions* when communities confront public issues.

(7) The CRITICAL CHOICES process can *make an impact*. For example, the New York CRITICAL CHOICES '88 program demonstrated that the organized and articulate opinions of concerned citizens have a significant impact not only on local public officials but also filter their way up to state and national policy levels. Make a note to involve local officials in your plans and to send the results of your **town meeting** to your elected officials at all levels.

Why Make CRITICAL CHOICES an Ongoing Activity?

The benefits outlined previously commend establishing CRITICAL CHOICES as an ongoing or annual event in your community. It is often difficult for organizations, associations, and institutions to identify manageable activities that promote citizenship awareness. CRITICAL CHOICES moves beyond celebration and patriotic affirmation to a *practical model* for community involvement in public issues.

Who might you involve to co-sponsor CRITICAL CHOICES? *Any organization* can take on the role, whether civic club, business or professional association, school district, community college, or even a business or corporation. All that's required is a commitment to community service and a willingness to network with other interested individuals and groups.

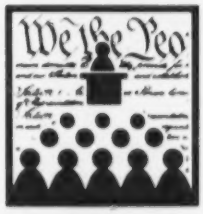
Especially important, CRITICAL CHOICES can be *linked to other scheduled community activities, holidays, or historical celebrations*. And, it can be an eagerly awaited event that generates considerable excitement each year as participants look forward to a **town meeting** where they can air their views on important public issues.

Is CRITICAL CHOICES Manageable?

Emphatically, yes. All it takes to get started is one determined person who is willing to network with others to create a small steering committee. Nearly all the work in New York's CRITICAL CHOICES '88 was accomplished by volunteers. If the steering committee can then enlist the support of one or more local organizations (e.g., a civic club, garden club, school district, churches), then the network of interested participants can grow dramatically.

In addition, CRITICAL CHOICES can be done with little or no budget. Because the model relies on local talent and on the participation of "average" citizens, there is no need to pay experts or outside specialists to be speakers. Free space can often be found in public buildings, schools, churches, and civic halls. Free promotion is also possible. Organizational newsletters, church bulletins, company newsletters, library bulletin boards, and distribution networks can be utilized to advertise the event. Selected participants can even be asked to contribute refreshments, and often local firms or businesses will make donations.

All a CRITICAL CHOICES program requires, then, is some time and the energy of a few committed people who want to make a difference in their community.



Eight Steps To a Successful CRITICAL CHOICES Program

Step One: Determine Your Goals

Setting clear, realistic, explainable goals is critical to your success. You will need to state your goals clearly when you recruit members of the CRITICAL CHOICES steering committee. You will need to articulate clear goals when you seek co-sponsors. Promotion for your event will also be based on your project goals.

How do you write goals that are crisp and easy to explain to others? Goals are best when they can be written in simple language with each goal statement consisting of no more than 15–20 words. It is better to have one or two strong, clear goals than a long list. Goals are also best when they are result oriented; i.e., they state in some positive way the outcome that you expect from your project. Be clear about the "target audience." Who do you expect to participate? The general public? Middle school students? Senior citizens?

Here's a simple suggestion that might help get you started. Review the introduction to this manual, "What Is a CRITICAL CHOICES Program?" Then, look back at the previous list of seven benefits explained under the section, "Why Hold a CRITICAL CHOICES Event?" Work from that list to shape one or two goals that are tailored to your own organization or group. Here is an example of a concise goal statement:

> As a citizenship-participation project in conjunction with Centraltown's annual anniversary celebration, the Central City Club will sponsor CRITICAL CHOICES.

Now, practice writing one or two of your own goal statements here:

Incidentally, once you assemble a project steering committee, the group may wish to revise or refine your goals statements. Remember, goals are not "written in stone." They are meant to serve as strong, positive guidelines to keep you, your group, and the CRITICAL CHOICES project on track. Don't hesitate to modify or rewrite your goals if circumstances change.

Step Two: Assemble a Steering Committee

You will need to find volunteers who, like yourself, are committed to the goals of the project. If you are part of an organization that expects to sponsor CRITICAL CHOICES, then you already have a constituency from which you can draw committee members. As we will see, however, when we discuss co-sponsors later in this manual, you may not wish to limit the committee to members of a single organization. CRITICAL CHOICES works best when there is a broad base of community participation in planning.

What if you don't have organizational sponsorship? Then you must do what so many women's resource groups have done so well in the past few years: you must *network*. To network, you find a friend or acquaintance who cares—or whom you can persuade to care—as much about the goals of the project as you. Then each of you finds another committee member, the new members also recruit additional members, and so on.

It also helps to have steering committee members who can take an open-minded view of public issues. CRITICAL CHOICES works best when it is nonpartisan and when many divergent views are offered by participating citizens. Of course, you expect and hope to attract individuals with strong political convictions to your event. But the genius of the **town meeting** as offered in CRITICAL CHOICES is that *many opinions*, whether popular or unpopular, can receive a hearing.

Who are the kinds of people who might serve on your steering committee? The following list includes some of the organizations and associations whose members and representatives served on committees during New York's CRITICAL CHOICES '88:

- Communications media (newspapers, radio, television stations)
- Historical societies and bicentennial commissions
- Community colleges, universities, and four-year colleges
- Public school teachers and administrators
- Community agencies
- Local government department heads
- Health care organizations
- Minority organizations
- Service organizations (e.g., Kiwanis, League of Women Voters, AAUW, Jewish Community Centers)

- Educational and professional associations, especially teachers' groups and bar associations
- Labor unions
- Corporations, businesses
- Civic associations and neighborhood improvement groups
- Chambers of Commerce
- Libraries
- Senior citizens' organizations
- Advocacy groups (e.g., ACLU, environmental groups)

At an early meeting of the steering committee, the group should elect a coordinator. Many necessary duties and functions can be divided up among committee members. Nonetheless, we strongly recommend that you *choose a single person* to coordinate the work of the entire group. The coordinator's role is not to tell other people what to do but, rather, to assure smooth communications among all members of the committee and external contacts. The coordinator should also take the lead in timely scheduling of activities. This coordinator's assignment is a sizeable volunteer undertaking, so pick a "can do" person who has both patience and good humor, and give that person the committee's enthusiastic support!

How many members do you need on the steering committee? Remember that broad rather than narrow representation is best. In New York's CRITICAL CHOICES '88, we found that twelve to fifteen members was a good range—and that you can expect six to seven individuals to be the most active participants.

After you've gone through the rest of this manual with steering committee members, then go back and allocate major responsibilities and tasks among the group. Here are some of the functions you may wish to divide up:

- Coordinator's role
- Facility/meeting arrangements for **town meeting**
- Budget/finances (unless you are running a no-budget program)
- Welcome/reception/registration of attendees
- Promotion/publicity/community contacts (This is the biggest task, so put the most members on this sub-committee.)
- Program personnel (moderator for **town meeting**, working group facilitators)
- Program materials (if you decide to distribute a written agenda, issue papers, etc.)
- Final report to be prepared by drafting committee

Step Three: Select the Issues

CRITICAL CHOICES is meant to be contemporary and even controversial. It is a mechanism to direct the searchlight of constitutional thinking on issues that are on citizens' minds at the moment. And, CRITICAL CHOICES strongly affirms that ordinary people, not just lawyers, political scientists, and constitutional specialists, have a powerful stake in government and public policy, especially in the constitutional realm of rights infringed, citizen responsibilities to be assigned, and powers to be assigned.

So, how do you choose your CRITICAL CHOICES issue(s)? There are a number of good questions to ask: What is going on in our area that has people talking? When people "talk politics," what do they discuss? What has people worked up? What tough problems does this community need to solve in the next few years? (See the Study Guide at the end of this manual for more information on how to select and research constitutional issues.)

Remember that issues don't have to be dramatic to be important. The issue of solid waste disposal isn't an attractive problem to consider, but it is an example of a difficult problem for communities in New York—and it has major constitutional ramifications as the rights of various groups are balanced against environmental issues.

In New York's CRITICAL CHOICES '88, issues were identified through a statewide essay contest. More than 500 entries were received from throughout the state. Here are examples of issues that fell into a number of major categories:

- **The right to privacy**
  - Mandatory drug testing
  - Mandatory AIDS testing
  - Freedom of choice (abortion)
  - Death with dignity (choice)
  - Privacy of medical and personal records
  - Right of choice for the homeless
  - Privacy in school and work lockers
  - Privacy of sexual activities among consenting adults
  - Use of lie detectors
- **Freedom of expression**
  - Access to common areas of shopping malls
  - Censorship of school newspapers
  - Nonviolent dissent against government policies without fear of recrimination or surveillance
  - Limitations on campaign contributions
  - Restraints on pornography
  - Privacy of news sources
  - Political action committees (PACs)
  - Protection for traditional Native American religions
- **Equal rights and economic opportunity**
  - The Equal Rights Amendment (ERA)
  - Equal treatment regardless of race, ethnicity, religion, age, disability, gender
  - Health and pension benefits
  - Equality of educational opportunity
  - Pay equity
  - Economic democracy with full employment
  - Right to a safe, clean environment
  - Right to safe, sanitary, affordable housing
  - Freedom of choice versus rights of the unborn
- **Governance**
  - Constitutional amendment for child rights
  - Guarantee of high quality education for children
  - Initiative system to place issues directly before Congress
  - Extension of more effective control over federal agencies

- Local control; home rule versus federalism
- Government's role in environmental protection
- Expanded financing for campaigns for public office
- Limits on number of terms a legislator can serve in Congress
- The War Powers Resolution and the president's powers
- Rights of citizens to be informed about the location and disposal of hazardous waste materials
- Government's role in day care for children
- Housing, zoning, and economic development in communities
- Disposal of trash and solid waste

- **Criminal Justice**
  - Capital punishment
  - Compensation/restitution for victims of crimes
  - Programs for first-time offenders
  - Incarceration for habitual offenders
  - Violence in the media, especially on television
  - Drug education
  - Gun control laws

Note that the foregoing issues are only examples of those that surfaced during New York's statewide project. These may not be the specific issues that your community would like to consider, but this list may give you many ideas to explore with your steering committee. Most steering committees will probably find an essay contest like the one in New York unmanageable or unwieldy—although a cooperative project with a school district or even a single school might make an essay contest feasible.

Experience in our 1988 project suggests that the steering committee should choose the CRITICAL CHOICES issues you will consider *prior to* the scheduled **town meeting**. For one thing, a focus on specific issues in your promotional efforts will help attract a larger "target audience" (i.e., the people who care about those issues will attend). For another matter, waiting to choose issues at the **town meeting** is awkward and time-consuming; you'll spend all of your time selecting issues rather than considering them in depth in small groups where many more people have a chance to talk.

Therefore, members of the steering committee should deliberate among themselves and, assuming that they are reasonably in touch with the pulse of the community, they should select the particular issue(s) for discussion. In New York's CRITICAL CHOICES '88, most **town meetings** considered four or five issues. You should choose from one to five, depending on how much weight you want to give to each issue area. Remember also that many issues are continuing. If an important issue doesn't make it to the agenda this time, there is always another opportunity at a later date for CRITICAL CHOICES and another **town meeting**.

Step Four: Schedule the Town Meeting and Find a Site

It may seem odd to you at first to devote an entire step to scheduling and selecting a site for the **town meeting**. Since the **town meeting** is the heart of the CRITICAL CHOICES process, identifying a time and place is an important task that needs attention as soon as your steering committee makes a final decision to proceed with the CRITICAL CHOICES event.

Many desirable meeting spaces get booked up early, and you don't want to miss out on your first choice because you delayed contact. If you are interested in space to be donated free of charge, an early request is even more essential. In addition, the convenience and accessibility of your meeting site will have a big impact on your ability to attract a sizeable audience. Well-known public spaces, perhaps that have some historic significance, are best; but a church or school auditorium will work just as well. Remember too that CRITICAL CHOICES requires not simply a large assembly area but also break-out rooms that can accommodate working groups of ten to thirty people.

Here are some suggestions to help you plan:

(1) Determine the potential number of participants. How large an assembly room will be required to accommodate this size meeting?

(2) Determine how many issues and how many separate working groups you are likely to have. How many break-out rooms will you need? Break-out rooms should be close to the **town meeting** site, and each working group should have its own room. Rooms should be situated so that discussions can occur freely and openly without distractions from other groups.

(3) Determine when the event will be held. A weekday evening is the optimum time, but the **town meeting** may also be held on a winter Saturday morning or Sunday afternoon when outdoor activities are not as likely to compete.

Before making your final decisions, please consult step six on how to plan your **town meeting**.

The following list is to be used when you consider a meeting site. We strongly recommend that members of the steering committee make a personal visit and "walk through" the event before making a final decision.

Meeting Site Checklist

- ☐ Adequate auditorium/large assembly hall?
- ☐ Break-out rooms for working groups available?
- ☐ Reception/foyer area for welcome, registration, breaks?
- ☐ Ample inexpensive or free parking?
- ☐ Accessible by public transportation?
- ☐ Accessible for the handicapped?
- ☐ Sound system (if you expect a large group)?
- ☐ Cost (any fees for use of space, janitorial service, security, insurance)?
- ☐ Refreshment/food service available (if desired)?
- ☐ Designated facility contact person to handle problems (e.g., in case doors are locked)? Write that person's name and telephone number here:

Name: _____

Day Telephone Number: _____

Evening Telephone Number: _____

Step Five: Identify Co-sponsors

Organizational co-sponsors can bring four big benefits to your project. They will

(1) Broaden your audience base by tapping the co-sponsors' membership and networks;

(2) Enhance visibility, reputation, and credibility in your community if your co-sponsor is a respected organization;

(3) Provide meeting space, in-kind staff assistance, material assistance (e.g., printing, refreshments), or even monetary contributions to share the costs of the project;

(4) Contribute actively toward "turning out" an audience. (Co-sponsors might not be requested to give money but to assure that at least ten representatives from their organizations attend the **town meeting**.)

Where can you find co-sponsors? Try the same places you looked when you were trying to broaden representation on the steering committee:

- Communications media (newspapers; radio and television stations)
- Historical societies and bicentennial commissions
- Community colleges, universities, and four-year colleges
- Public school teachers and administrators
- Community agencies
- Local government department heads
- Health care organizations
- Minority organizations
- Service organizations (e.g., Kiwanis, League of Women Voters, AAUW, Jewish Community Centers)
- Educational and professional associations, especially teachers' groups and bar associations
- Labor unions
- Corporations, businesses
- Civic associations and neighborhood improvement groups
- Chambers of Commerce
- Libraries
- Senior citizens' organizations
- Advocacy groups (e.g., ACLU, environmental groups)

In fact, once an organization accepts co-sponsor status, you should consider adding a representative to the steering committee.

Step Six: Plan and Promote the Town Meeting

The **town meeting** is meant to engage the citizens of an area in free and open discussion about important, contemporary public issues. As previously indicated, issues will vary from one part of New York State to another with concerns in each area reflecting the individuality, history, social and economic conditions, and "personality" of each locality and region.

The format of the **town meeting** consists of three parts:

(1) **An opening ceremony to welcome participants and explain the agenda.** You may ask a dynamic speaker *briefly* to address the issues to be discussed, outlining some possible approaches and options. Or, you may have an expert prepare a brief issues paper (one to two pages) to be distributed at the door to attendees to read while waiting for the session to begin. In New York's CRITICAL CHOICES '88, we generally avoided using specialists or their materials, relying rather on interested citizens to have informed opinions about issues that touched their vital interests. Allow no more than thirty minutes for the opening session.

(2) **Working group meetings for in-depth discussions of critical issues and the framing of resolutions for consideration by the entire town meeting.** In CRITICAL CHOICES '88, we found that small groups worked best when they focused on a single issue and tried to develop several options in the form of resolutions to present to the plenary session that followed. A group size of ten to thirty participants seemed optimal so that many attendees had several chances to talk. Allow at least one hour for the working groups to meet. Well-briefed facilitators are essential for each session not only to assure that discussion flows freely and fairly but also to see that focus is retained on the particular issue(s) at hand.

(3) **A closing plenary session to receive resolutions from the working groups, to vote on final resolutions, and issue a public report.** Allow at least one hour for the closing session. A fair-minded, objective, but firm moderator is essential. Discussion is necessarily limited in this final hour, and the moderator will need to move to votes on resolutions after very brief periods for questions and further debate.

In New York's CRITICAL CHOICES '88, **town meetings** were held on weekday evenings. We set two-and-a-half hours as the optimal length although some **town meetings** ran for three hours.

To elaborate further on a previous point, the question arose very early as to whether we needed specialists such as attorneys, judges, or college professors to serve as "resource people" and facilitators. When we conferred with a number of consultants from leading national organizations that sponsor public programs, our consultants advised us to "trust the people." Specialists, they said, tend to take over meetings. Conscientious citizens know what issues vitally concern them, and they have opinions to share if given the opportunity.

CRITICAL CHOICES '88 bore out the wisdom of our consultants' advice. **Town meetings** across New York proved that many citizens are informed about public issues and problems. Our experience also revealed that New Yorkers, like most Americans, have a strong sense of civility and fair play, even when confronting controversial issues. The message, then, is to choose a moderator and facilitators for their abilities in group dynamics, not for their specialized expertise.

Promotion and publicity are two of the most important aspects of planning for the **town meeting**. Following is a **strategy sheet** which you can use to plan how to reach your target audience for this event.

Strategy Sheet

Who will be the likely target audience to participate in your town meeting? Who do you want to reach? To what groups, organizations, associations do they belong? How can you contact them?

How will your program **benefit** your target audience? Be specific.

What is **special, unique, interesting, different** about your event? Why would someone want to attend your **town meeting** rather than go to a movie or stay home and watch television?

What **media can best communicate** to your target audience?

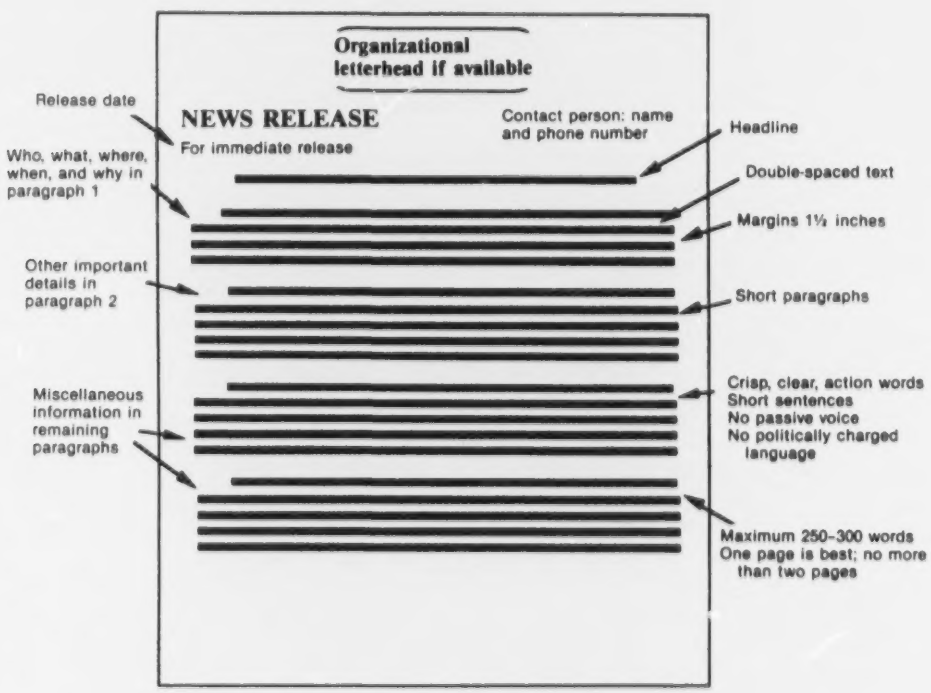
- ☐ Posters/announcements on bulletin boards in libraries, malls, stores
- ☐ Brochures
- ☐ Press releases to daily newspapers, weeklies
- ☐ Press releases to organizational newsletters
- ☐ Public service announcements (PSAs)
- ☐ Calendar/events notices in newspapers, magazines
- ☐ TV, radio interviews
- ☐ TV, radio talk shows and opinion spots
- ☐ Cable TV announcements
- ☐ Personal contacts with community organizations, announcements at other public meetings
- ☐ Networking

Press Releases and Public Service Announcements

Press releases and public service announcements are one of the best ways to get information out to a wide reading audience. While there is no guarantee that the media will use them, they represent an alternative to paid advertising that you cannot afford to overlook. Here are some examples and guidelines for **news releases**.

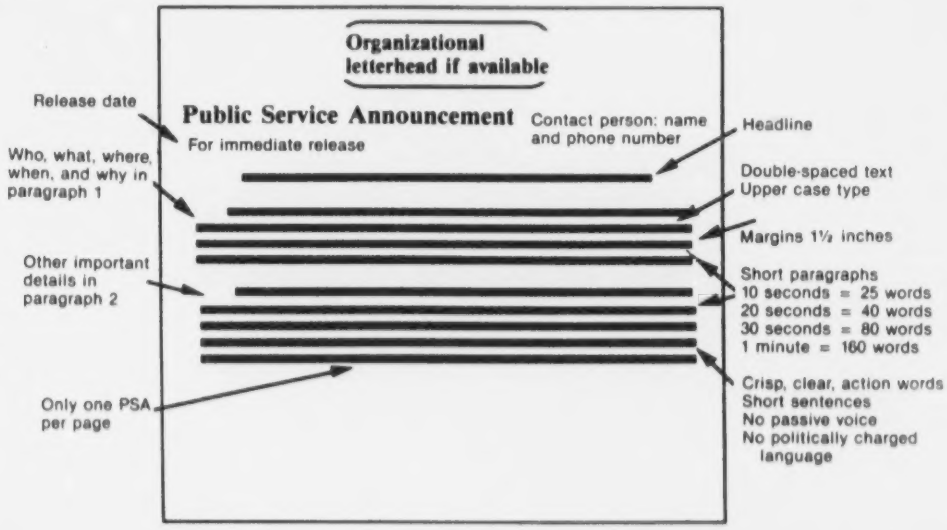
Where to send press releases?

- Daily newspapers. Pick the most appropriate editor (e.g., city editor, features editor, education editor, business editor). Send the release to one editor only.
- Weekly newspapers (editor)
- Radio and TV stations (news editor)
- Organizational newsletters (editor)
- Community calendars, events sections of newspapers and magazines (OK to send here in addition to news editor)
- Television/radio talk shows, interview shows (producer, host)



Public Service Announcements (PSAs)

are another good way to get your message out through television and radio stations. For television stations, if you have a good quality photographic slide representing your event or organization, send it along with the PSA text. For radio stations, choose the stations which have a format to match your particular target audience. If CRITICAL CHOICES is for youth, try rock stations; for mature adults, try contemporary, jazz, classical, public radio, and "easy listening." "Talk radio" and all-news formats are good bets. In any case, telephone the station for guidelines and format. Get the name of the right person to contact.



Step Seven: The Town Meeting Program

The **town meeting** is your main event, attracting community members to join together in a lively, well-attended, and meaningful experience of discussion, debate, and decision making.

If you have done your planning well, if your promotional work has been timely and on target, and if the steering committee has "networked" to alert interested groups, the **town meeting** should run smoothly.

Plan your agenda carefully and, if you wish, prepare agendas or programs to hand out at the door. The program might include a letter of welcome from a mayor, supervisor, school superintendent, legislator, or other official. Take registration in the lobby, collecting names, addresses, and telephone numbers, if you want to contact attendees for future similar activities.

To recapitulate from step six, divide your program into three parts:

(1) **Opening ceremony.** Welcome by moderator, steering committee coordinator, and an appropriate public official or local dignitary. Presentation of the colors, perhaps by police, veterans, National Guard or Army unit. Singing of the National Anthem or *America the Beautiful*. Review the agenda. Briefly review the issue(s) to be discussed in working groups. Ask each group to develop at least three policy options in the form of resolutions that can be presented at the closing plenary assembly. Spend no more than thirty minutes in this session.

(2) **Working groups.** Meetings for discussion of issues and to frame at least three policy options in the form of resolutions that can be considered by the entire **town meeting**. (By allowing three or more options, everyone will have a chance to have their solution put on the agenda.) Facilitators should expect plenty of vigorous debate. Whenever relevant, facilitators ask how the Constitution connects with the issue under discussion. Allow at least one hour here, and conclude with a refreshment/coffee break.

(3) **Town Meeting Plenary Session.** Facilitators or designated spokespersons present resolutions from each working group. The moderator should allow time for questions, clarifications, and limited debate; but, given time constraints, the assembly will not be able to replicate or rehash working group deliberations. Move to votes on resolutions in a timely way. Announce that reports of the resolutions will be prepared and sent by the steering committee to the media and appropriate governmental officials and agencies. Spend one to one-and-a-half hours in this closing session.

In several **town meetings** during New York's CRITICAL CHOICES '88, attendees also completed opinion surveys with several questions on each issue area. The results of those surveys were reported during the plenary session.

Step Eight: Prepare the Final Report

Public officials throughout New York took a keen interest in the deliberations and resolutions of the **town meetings** in the summer of 1988. Governor Mario Cuomo journeyed to Poughkeepsie on July 26 (anniversary of New York's ratification of the United States Constitution) to a **Critical Choices** state convention that included a number of participants from **town meetings** around the state. The governor remarked that he was eager to review the resolutions of the **town meetings** and the convention.

Your steering committee should plan to follow up immediately after the **town meeting**. If the press is not present at your meeting, a news release should be prepared announcing the resolutions that were passed. Copies of resolutions and brief explanations may be sent to local officials, county and state legislators, state or federal agency heads, the governor, members of the United States Congress, and even the president.

If necessary, to use an old-fashioned phrase, constitute a *drafting committee* to assure that reports are sent out immediately. If citizens' opinions are to have an impact, then public representatives must know what they are. Don't lose this opportunity to share the results of your citizenship program.

Conclusion

We have prepared this practical manual in the hope that teachers and students will find CRITICAL CHOICES to be as rewarding and stimulating an activity as those of us who participated in New York's project in 1988. CRITICAL CHOICES is a people-oriented, Constitution-based exercise in political democracy. Two quotations come to mind as we contemplate the benefits of CRITICAL CHOICES and the blessings of liberty. One is from a modern leader, Jawaharal Nehru:

> *A Constitution if it is out of touch with the people's life, aims and aspirations, becomes rather empty; if it falls below those aims, it drags the people down. It should be something higher to keep people's eyes and minds up to a certain high mark.*

And from George Mason, writing in 1776 in the *Virginia Declaration of Rights:*

> *No free government, nor blessing of liberty, can be preserved to any people, but by . . . a frequent recurrence to fundamental principles.*

A Study Guide Making Constitutional Choices

People Make Choices

People make choices. Some people have more options than others; some make better judgments with the options they have. But all people make choices; it is what separates us from other creatures placed on this earth.

What makes constitutional choices different from other kinds of choices is simply this: Constitutional choices set the rules of the game by which other choices are made. What are those other choices? How does our Constitution frame those choices?

All of us make *personal* choices about how we want to live our lives. We decide how we want to appear to others, how we want to face life's obstacles, how seriously we want to take our schooling, how we choose to deal with crises and temptations, and how we choose to relate to others. We decide how long to remain in school, how much value we place on building a family, and how much effort we want to place on cooperating with others.

What Are Public Choices?

Our personal choices can also become *public* choices. As consumers, our individual decisions have a cumulative effect on much more than the prices and profits of the goods we buy or reject. When the choice is between domestic and imported products, the tastes of one group, such as the "baby boomers," can affect our country's foreign trade balance. Individual decisions to conserve the purchase of fuel for automobiles and home heating play an important role in the implementation of energy conservation policy. The type of homes we are able to buy or rent shape the community of the future, and that shaping of our social space very much affects the future need for public goods and services, in such areas as crime control, water supply, waste disposal, transportation design, highway safety, the design of public parks, and the provision of other social amenities.

New Yorkers also make public choices in our capacity as citizens. As with other kinds of choices, the first and most basic is whether or not to "get involved." And as with personal and consumer choices, the public choices of citizenship are wide-ranging and far-reaching. Immigrants elect to become citizens; youth decide whether or not to take citizenship seriously; citizens choose whether or not to register to vote; voters decide whether or not to cast their vote.

The Individual Counts

One of the great ironies of politics in this and other states is that the individual citizen counts for much more than he or she realizes. As constituents, New Yorkers would be surprised to discover how much time their elected officials spend in assessing constituent preferences, how few constituents take the time to make their preferences known, and how straightforward it can be to make your views and those of your neighbors heard and, occasionally, heeded.

In the past decade, many public policy issues have been placed on the public agenda as a direct result of citizen pressure. The impact of concerned mothers organized as Mothers Against Drunk Drivers (M.A.D.D.) on highway safety policy, the nationwide effect of the popular vote for California's Proposition 13 on policies to limit government spending and

taxation, and the impact of public-opinion surveys and school-budget elections on the resurgence of "back to basics" education in the schools are but three examples of the ways in which citizen preferences can be translated into collective action and, through hard work, into changing public policy.

Finally, citizens become public policy makers in their own right, often without realizing the cumulative effect of their actions. The beauty of our living environment depends on the American penchant for gardening and home improvements; the safety of our highways depends on our common sense behind the wheel; our fate in a court of law depends on the good judgment of our peers in the jury box; the plight of the homeless and others in need depends on our generosity; and the implementation of so many court decisions depends on citizen compliance.

Constitutions Frame Choices

Constitutions set the "rules of the game" by which other choices are made—the goals of the game, the players and their powers and limits, the boundaries of the playing field, and the ground rules for playing the game.

The Goals of the Game

The first and most basic constitutional rule is constitutionalism or the rule of law; that is, an agreement among the players to play by the rules. Other goals of the game are typically written into the preamble of a constitution. Hence, the U.S. Constitution states:

> We, the People of the United States, in Order to form a more perfect union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Added to these goals is the emphasis placed in our state's constitution on freedom: "We, the People of the State of New York, grateful to Almighty God for our Freedom, in order to secure its blessings, DO ESTABLISH THIS CONSTITUTION."

The goals stated in a constitution are, of course, not the only public goals of a free society. Rather, they are the *fundamental* goals of a free society—those goals too precious to leave to chance. In the foreseeable future, it is unlikely that Americans would choose to alter the goals set out in our national Constitution; however, from time to time, Americans utilize the opportunity provided by their state constitutions to add goals considered fundamental to the citizens of that particular state. For example, the new constitution of Montana, adopted in 1972, constitutionally enshrines the right of its citizens "to a clean and healthful environment" (Article II, Section 3), while the New York State Constitution provides that "Labor of human beings is not a commodity nor an article of commerce" (Article I, Section 17).

Eligibility of the Players

In the American system, the public policy game is democratic, but it is not completely open to all individuals. The authority for the game is the people; and this point is underscored in both our national and state constitutions. But not all people are equally entitled to the enjoyment of all the powers and rights set out in those constitutions.

The most appropriate example is the right to vote. This right is granted neither to all individuals nor to all citizens, but rather only to those citizens who are eighteen years of age or older. (U.S. Constitution Amendment XXVI, Section 1.)

The point is that the Constitution defines various players. "The people" as a collectivity is the authority for the Constitution and its change. "Persons" are the beneficiaries of certain fundamental rights; other rights, such as political rights, belong to the citizenry; certain segments of the population have fought successfully for their rights to be constitutionalized (e.g., the provision for worker-rights in the New York State Constitution); however, no person may be denied basic rights because of their race or gender.

The Constitution also defines those players empowered to hold government office. The rule of federalism provides for two sets of constitutional governments—national and state—each with their own representatives drawing their authority directly from the people who are sovereign. Co-equal partners in their respective spheres, both governments are subject to the U.S. Constitution and to the laws and treaties of the national government passed in pursuance of that Constitution.

The separation-of-powers rule provides that national and state governments are, in turn, divided into branches—a legislative branch granted powers of law-making, the executive responsible for administering the law, and the judiciary empowered to decide cases involving conflicts arising under the law. Taken together, the rules of federalism and separation-of-powers are designed to confine the players to their own turf. At the same time, the players are governed by a third and pragmatic rule of power-sharing providing common areas within which various players can (and in some instances "must") cooperate in order to complete a particular task. Hence, both national and state governments have the power to tax, while within each government, both legislative and executive branches are required to enact a tax measure.

Boundaries and Ground Rules

The discussion of the players suggests two basic operating rules of the game: the first is the rule of limited government; that is, each of the governments in our federal system and each of the players within those governments have limits and boundaries defining what they can do and where they can do it. At the same time, American constitutions recognize the need for power-sharing arrangements, not only in the name of checks and balances, but also in the belief that public things are best done by a variety of players each bringing their unique perspective to the game and learning how to accommodate their perspective and interests to those of the other players. In this sense, the rule of power-sharing becomes the political equivalent of the social rule of pluralism and its expectation that players will play the game with a healthy respect for diversity.

Lessons Learned

As we look to identify critical constitutional choices facing New York today, we can draw several important lessons from the constitutional rules of the game.

First, our national and state constitutions set out broad goals, such as promoting the general welfare and protecting individual liberty, which provide the reason why one looks to government as part of the solution to a public problem and, at times, as part of the problem itself. Rarely does one seek a solution to a public problem by amending the Constitution itself. The Prohibition Amendment (U.S. Constitution,

Amendment XVIII, Section 1.) clearly demonstrates the difficulty of regulating social behavior and solving social problems by constitutional amendments. Put simply, constitutions provide the rationale for public action and not the solution itself.

Second, and closely related, constitutional goals, such as the general welfare and individual liberty, can result in a clash of rights when one set of players (whether that be governmental or individual) attempts to pursue one goal at the expense of or without regard for another goal. Behind each constitutional goal is a player or group of players with interests and rights.

Third, the American constitutional tradition typically sees the role of constitutions in public policy-making as a procedural and not a substantive role. When facing a public problem like the spread of AIDS or drug abuse, one looks to national and state constitutions for an understanding of where the solutions can be found and not what they might be. Again, constitutions set out the players, their powers, and their limits.

Fourth, and closely related, the nature of the constitutional process involves an element of power separation in the name of liberty and power sharing in the name of governance. Virtually every public policy problem from national defense to waste disposal simultaneously involves national, state, and local governments as well as the actions of nongovernmental organizations and individuals on national, state, and local planes.

The hard case for this point is constitutional policy itself, normally thought to be the special preserve of the U.S. Supreme Court. In fact, nothing could be further from the truth. Increasingly, state courts led by the New York State Court of Appeals and the high courts of other innovative states have relied upon their own state constitutions to extend individual rights beyond those guaranteed by the federal Constitution and its Burger-Rehnquist interpretations. Additionally, both the U.S. Congress and the state legislatures play an important role as constitutional policy makers through their respective powers in amending federal and state constitutions. Finally, though indirectly, constitutional policy is made every time individuals, whether they be public officials or private individuals, seek to act constitutionally by making choices within constitutional parameters set by the Constitution itself.

The previous discussion points toward one final lesson: The U.S. Constitution, in the words of one scholar, is an "incomplete document." The U.S. Constitution was intended by the Framers to join and not replace existing state constitutions. That is why the U.S. Constitution could be so brief and could focus entirely on "fundamentals." State constitutions and their governments were then, and remain today, the workhorses of the American federal system. Together, the fifty-one federal and state constitutions complete the American constitutional system, and it is within that system and the power-sharing arrangements which hold it together that most of the solutions to today's critical choices will be found.

Critical Constitutional Choices in American History

Americans are a constitutional people not only because they have a healthy respect for the rule of law, but also because their first public choices have always been constitutional choices. Before the Pilgrims landed, they wrote and signed the Mayflower Compact in which they pledged to live *constitutionally* with one another. That document reads in part:

> Haveing undertaken, for the glorie of God, and advancemente of the Christian faith, and honour of our King and countrie, a voyage to plant the first colonie in the Northerne parts of Virginia, doe by these presents solemnly and mutualy in the presence of God, and one of another, covenant and combine ourselves togeather into a civill body politick, for our better ordering and preservation and furtherance of the ends aforesaid; and by vertue hearof to enacte, constitute, and frame shuch just and equall lawes, ordinances, acts, constitutions, and offices, from time to time, as shall be thought most meete and convenient for the generall good of the Colonie, unto which we promise all due submission and obedience.

The Pilgrims' sense of constitution-making was much like that of other seventeenth-century Englishmen whom they had left behind. In fact, the Mayflower Compact and the colonial charters which followed were designed in part to guarantee colonists their rights as Englishmen and to extend the system of government they left behind. At the same time, the signers of the Mayflower Compact planted the seed of democracy when they voluntarily agreed to "covenant and combine ourselves togeather into a civill body politick." According to the noted historian, Samuel Eliot Morison, the Compact "proves the determination of the small group of English emigrants to live under a rule of law, based on the consent of the people, and to set up their own civil government." The Pilgrim signers demonstrated, as their governor, William Bradford, observed, that an agreement freely entered into "might be as firm as any patent, and in some respects more sure."

As settlers moved west, they brought with them the idea of compacting and covenanting in the wilderness. Throughout the seventeenth and eighteenth centuries, new towns were established under colonial rule with a deeper and deeper commitment to popular consent and the rule of law. The idea of a modern constitution was beginning to emerge, but ever-so-slowly.

The New York Experience

In some instances, colonial charters preceded the settlers; in other instances, colonial charters followed the path of settlement. In either case, those colonial charters written in the New World broke new ground in the evolution of constitution making. The New York Charter of Libertyes and Priviledges of 1683, though rejected by the King, provided for the two modern functions of a constitution; namely, framing government and guaranteeing rights. In fact, the Charter begins with those two functions stated as ends: "For . . . better Establishing the Government of this province of New Yorke and that Justice and Right may be Equally done to all persons within the same." However, a colonial charter was just that—"a charter" or grant of powers from the King to the inhabitants. Moreover, the power to make laws was vested not only in the people's Assembly but also in the King's Governor and the Governor's Council.

Less than one century later, on April 20, 1777, New Yorkers finally came into possession of their first constitution as a free and independent people. Written on the urging of the Continental Congress, that constitution sought "to institute and establish such a government as they shall deem best calculated to secure the rights, liberties and happiness of the good people of this colony; and to continue in force until a future peace with Great-Britain shall render the same unnecessary."

For our Revolutionary ancestors, the constitutional demand was not to make colonial government more representative, but rather to establish a new and independent government along republican lines. As Article I of the 1777 New York State Constitution states: "This Convention, therefore, in the name and by the authority of the good people of this State, doth ORDAIN, DETERMINE, and DECLARE, that no authority shall on any pretence whatever be exercised over the people or the members of this State, but such as shall be derived from and granted by them."

The principal drafters of the state's first constitution were reluctant revolutionaries and cautious republicans, concerned about investing too much real power in the people and their representatives. The first state constitution established the principle of separation of powers by vesting the legislative power in the assembly and senate. At the same time, the Constitution sought to check possible excesses of that branch by establishing separate executive and judicial branches and by providing for the principle of shared power embodied in councils of revision and appointment. Moreover, the state's first constitution contained no separate bill of rights, though it did provide a strong guarantee for the free exercise of religion, separation of church and state, trial by jury, the right to vote, and due process. It also provided for the first popularly elected chief executive in American history.

New York in the Union

Ten years later, at the Constitutional Convention in Philadelphia, and in the ensuing debate over the ratification of the United States Constitution, New Yorkers divided bitterly over how best to strengthen the Union and preserve the republican principles on which it rested. Federalists, led by Alexander Hamilton, his father-in-law, Philip Schuyler, and John Jay, advocated adoption of the proposed Constitution which provided for a strong national government and no bill of rights. Antifederalists, led by Governor George Clinton and Melancton Smith, believed that a strong union rested on strong states and a federal government limited by a bill of individual and state rights. The speedy drafting of a national bill of rights by the first Congress in September of 1789, which secured individual rights against governmental abuse, was a direct result of the ratification demands and political pressure brought by Antifederalists from New York and other key states. The adoption of a national bill of rights also established the idea that the Constitution could be peaceably changed by the legitimate demands and organized political pressure of committed amendment advocates.

Over the next two centuries, New Yorkers assumed their rightful place in the Union as leaders in the continuing quest to adapt the American constitutional system to the legitimate constitutional demands placed upon it. Senator DeWitt Clinton introduced the Twelfth Amendment to the U.S. Constitution. Susan B. Anthony of Rochester was a leader in the struggle for woman suffrage, while Frederick Douglass, also of Rochester, was a leader in the movement for the abolition of slavery. New Yorkers were also leaders in adapting their own state constitution to new needs and demands. The New York State Constitution of 1846 helped set the national trend toward the popular election of state judges; and the New York State Constitution of 1894 led the way in constitutionally guaranteeing the civil service system and environmental protection. Moreover, New York jurists like Benjamin N. Cardozo have applied both federal and state constitutions through the avenue of constitutional law and its interpretation.

Making Critical Choices Today

Two hundred years ago, New Yorkers faced a critical constitutional choice of first-order magnitude; namely, whether or not to ratify the United States Constitution and join the new Union formed by it. In the spring of 1788, New Yorkers went to the polls and cast their ballots for delegates who would represent them at the state ratifying convention convening on June 17 in Poughkeepsie. Interestingly, New Yorkers voted by a margin of two-to-one for Antifederalist delegates opposed to the Constitution. After much debate, the state convention voted for the Constitution, but only after insisting upon a bill of rights.

Clearly, the choices faced by New Yorkers today are of a second-order significance compared to the fundamental choice made 200 years ago. However, the challenge is no less important today than two centuries ago. If we are to remain a constitutional people, we must think and act *constitutionally* about the public problems we face today.

Making constitutional choices requires thinking constitutionally. To enter this process, select a public problem or issue of particular interest to you from one of the following categories: freedom of expression, privacy, equal rights, separation of powers, or federalism and local home rule. Then, address the critical *constitutional* choice posed by that issue.

A final point: Constitutional choices are not reserved for the United States Supreme Court alone. For example, that Court's 1988 decision regarding censorship of student newspapers might best be regarded as the first, not the last, word on the subject. How should school principals exercise their power to censor student newspapers? What recourse and role should students have in that process? What should be the role of other members of the school community? Should school boards be urged to formulate a policy in this area? Should *state* courts find independence and adequate grounds in *state* constitutions extending the state rights of student newspapers beyond the federal rights found by the U.S. Supreme Court? Or, should the state legislature be petitioned to amend the state constitution enabling a student bill of rights? In short, the constitutional game, like any other game, "ain't over 'til it's over."

—Stephen L. Schechter

For Further Reading

Today, New Yorkers can enjoy a rich variety of informative sources on critical constitutional choices facing our state today. One source is the daily newspaper, including not only the major newspapers within your region, but also the *Christian Science Monitor*, the *New York Times*, the *Wall Street Journal*, and the *Washington Post*. (Most public libraries also have the *New York Times Index*, which periodically indexes articles from that newspaper on a subject-by-subject basis.) Another invaluable source of daily news is the *New York Law Journal* which monitors daily developments of the law in New York State. There are also specialized sources for monitoring public issues in New York State. Two of these are the *Legislative Gazette* and the *Empire State Report*. Additionally, there is the weekly television program, "Inside Albany," which airs on public television stations around the state. Finally, the New York State Department of State publishes an edition of the New York State Constitution available in most public libraries.

For national issues, there are a variety of weekly sources. These include: the *Congressional Quarterly Weekly Report*, the *National Journal*, the *Congressional Digest* (which focuses on one issue each week), and *U.S. Law Week* (which monitors weekly developments in federal law).

First Ladies of New York State

The Constitutional Era

1777–1800

Educational Activities for the Seventh Grade Curriculum

by

JANE D. BEGOS

Goals

- To develop the student's ability to compare, understand, respect, and accept the role of women in history, and to explore their values, beliefs, and attitudes;
- To increase the student's knowledge of the role of the structure and function of family at the beginning of our state's and nation's history, and to make them aware of changes that have taken place;
- To enable the student to demonstrate an appreciation for the flow of human history.

Social Studies Skills Utilized

- The ability to collect, organize, process, and communicate accurate social studies information and ideas and to form a set of standards in order to apply them to the evaluation of assumptions, sources, evidence, reasoning, and arguments;
- The ability to identify and locate appropriate sources of information and to measure or qualify them as to reliability;
- The ability to infer meaning, biases, assumptions, and points of view implied but not stated in the sources, and to identify similarities and differences in the data given in order to group like items together.

Activity/Discussion

Assign the information in this educational packet to each student in the class or designate a student or group of students to prepare a report to be presented to the class on Cornelia Clinton, Sarah Jay, Nancy Reagan, Barbara Bush, and Matilda Cuomo.

The object of this activity is to point up the differences between the life styles and the personal styles of New York's first two "First Ladies" and to compare them to the former First Lady of the United States, Nancy Reagan, and to the present First Lady, Barbara Bush, and to the present First Lady of New York State, Matilda Cuomo.

Today, the news media—radio, television, newspapers, and magazines—are able to focus a very strong spotlight on the lives of women married to our state and national leaders. Because of this, we know a lot about the way they dress, the way they think, the way they entertain, the way they interact with their families, and the public roles they espouse within the framework of priorities established by the chief executive.

In the beginnings of our nation and state, the wives of our leaders were not subjected to such public scrutiny, nor were they expected to adopt an "agenda" of their own. They were unknown beyond the circle of their families and friends. All we know about them today is what we can infer from rare portraits and from contemporary references in letters, diaries, and memoirs.

Begin the discussion by emphasizing this fact. Then, after the students have studied the material or heard the reports, ask the following questions. The discussion may be ended with the question as to whether the students think today's media coverage of women of position is of value and why.

Cornelia Clinton and Sarah Jay both fulfilled their roles as wives and mothers according to the eighteenth-century definition of those roles. Both women also belonged to the same social class; they knew each other and had many mutual friends. As wives of men who were leaders in forming our state and national governments, they had to meet the additional challenge of helping their husbands in this exciting but demanding work. Each woman did this in her own way, and each woman fulfilled the roles of wife and mother in her own way. These ways were different, according to the personality of the individual. Although eighteenth-century women had to submit to many restrictions that women of the 1980s do not, it is interesting to observe how these two women were able to express their own tastes and temperaments within such a rigid framework.

Activity 1: Discussion

A. Look at the portraits of Cornelia Clinton and Sarah Jay. Remind the students that Cornelia Clinton was thirteen years older than Sarah Jay. Tell them that Cornelia's portrait was painted in New York in 1797, at the age of fifty-three; and that Sarah's portrait was painted in Paris in 1783, when she was twenty-six. With these things in mind, what can you observe about the style of dress of these two women? Which do you feel is more "high fashion" for the era?

From a newspaper or magazine, clip out a picture of Nancy Reagan and Barbara Bush. What can you observe from the style of dress of these two women? Which eighteenth-century woman can you compare to which twentieth-century woman?

From a newspaper or magazine, clip out a picture of Matilda Cuomo. What can you observe about her style of dress?

B. One of the functions of women married to men in public office is to plan and act as hostess at official social functions. Women in our society plan and hostess social functions for their friends and relatives. From the description of the

types of social functions that Cornelia Clinton preferred (See text, pages 5, 6), and those that Sarah Jay liked to plan (see text, page 6), what can you infer about the entertaining style of these two women? What do you know about the state functions that Nancy Reagan has hosted at the White House, and about her personal entertaining style at the Reagan ranch in California? What do you know about Barbara Bush's entertaining at the Bush summer home in Maine? What do you expect will be Mrs. Bush's style of entertaining at state functions in the White House? What kind of entertaining does Matilda Cuomo do?

C. From the information available in the text, what do you know of the family life of Cornelia Clinton and Sarah Jay? How many children did they have, and how did they interact with them? How many children does Nancy Reagan have, and how does she interact with them? Barbara Bush? Matilda Cuomo?

Activity 2: Archive Alive

A major source of information on the daily lives of women in earlier times comes from the diaries and letters they kept. From these records, we learn what their daily tasks were, how they accomplished them, what their social activities were, what their illnesses were and how they were treated, who their friends and relatives were, and what they thought about them.

The students are probably familiar with diary keeping. Perhaps they have read or studied *The Diary of Anne Frank*.

Have the students keep a daily diary or write daily letters to a "friend" for one week. At the end of the week, let them share selections from their diaries and letters and see how much social history they can find about the life of a middle-school student in the 1980s. What do they eat? What do they wear? Do they buy it or make it? What do they study in school and how do they like it? What forms of recreation do they like? Who are the members of their families?

After the students have shared their class assignments, ask if any of them keep a diary. Do they know anybody who does? Have they ever read a published diary? Have they ever read the diary of a friend or relative? Do they have any letters at home that they received in the past year? Do they keep letters or know anybody who does? How do they think the telephone will affect the documentary record?

Activity 3: Independent Study

(Recommended for highly motivated students or for a group project.)

U.S. Constitution: Amendment XIX. Ratified August 18, 1920.

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Congress shall have power to enforce this article by appropriate legislation.

Using local newspapers, magazine articles, speeches, sermons, and other printed material, examine the woman suffrage movement in your community. How did your city/town/county vote? How did New York's representatives and senators vote on the Nineteenth Amendment?

Portray the results of the vote on the Nineteenth Amendment in New York State graphically, county-by-county. Where was the Amendment defeated? Why? This exercise can also be targeted to your specific community by examining local voting records. Who were the local leaders and organizations who backed the movement? What individuals or organizations opposed woman suffrage?

Follow-up Activities

For the Teacher:

1. If possible, organize a field trip to a nearby historic site, local history museum, or re-creation of a period farm. Before the trip, have the students pull as many references to women's work in the home and in the field as they can find. Some are mentioned in this packet. At the site you have chosen, have the students look at the kitchen or laundry room, at heating fixtures and lighting devices. Ask them to compare and contrast these areas with the same areas in their own homes. Have them compare the amount of time and work their mothers spend on food preparation, laundry, and maintaining heating and lighting devices with the amount of time women such as Cornelia Clinton and Sarah Jay would have spent on these household chores. Remind them that both eighteenth-century women would have had servants, but that they also had the need to supervise their servants and often did the work themselves.

2. In the classroom, have students celebrate their foremothers and women of position in their community today by finding as much as they can about them and their work, and by collecting their pictures, if possible. Then post the pictures with a caption created by the students.

For the Students:

1. Visit an art museum and study portraits and old photographs of women. Remember that having a portrait painted was an expensive and time-consuming project; people would wear their best clothes for such a portrait. As the camera replaced the artist, it became possible to catch people at unprepared moments, at work and at play. Compare the styles of dress in old portraits with styles of dress in photographs of you and your family today. Observe and describe the differences.

2. Collect information on some prominent woman in your community—the wife of a man in public office, a woman in public office, a prominent business woman, a prominent scientist, artist, or musician, etc. Include newspaper and magazine articles, photographs you may be able to take, programs of events you attend where she appears in some capacity, etc. See how much you an learn about this person in this way. Why do you admire this woman?

"First Ladies of New York State" activity sheet created by Jane Begos, consultant to the New York State Office of Parks, Recreation and Historic Preservation. Ms. Begos is a specialist in women's diaries, having compiled and published the first *Annotated Bibliography of Published Women's Diaries* (1977). For ten years, she was program director at the John Jay Homestead, a New York State Historic Site. To obtain further information regarding her current work on the American Women's Diaries Project, write: Jane Begos, P.O. Box 247, Rhinebeck, New York 12572.

BIBLIOGRAPHY

Abbot, W.W., ed., *The Papers of George Washington* (Vols. 1 and 2. Charlottesville: University Press of Virginia, 1983-).

Bolton, Theodore and Irwin F. Cortelyou, *Ezra Ames of Albany* (New York: The New-York Historical Society, 1955).

Brooks, Geraldine, *Dames and Daughters of the Young Republic* (New York: Thomas Y. Crowell & Co., 1901).

Conway, Jill K., *The Female Experience in 18th and 19th Century America* (Princeton: Princeton University Press, 1985).

Crawford, Mary Caroline, *Romantic Days in the Early Republic* (Boston: Little, Brown, and Company, 1912).

DePauw, Linda Grant, *Four Traditions* (Albany, NY: New York State, Office of State Historian, 1974).

Ellet, Mrs. Katherine, *The Queens of American Society* (New York: Charles Scribner & Company, 1868).

Ellis, David M., James A. Frost, Harold C. Syrett and Harry F. Carman, *A Short History of New York State* (Ithaca: Cornell University Press, 1957).

Fitzpatrick, John C., ed., *The Diaries of George Washington, 1748-1799* Vol. 4. (New York: Houghton Mifflin Company, 1925).

Gillespie, Charles C., *The Montgolfier Brothers and the Invention of Aviation 1783-1784* (Princeton, NJ: Princeton University Press, 1983).

Hastings, Hugh, ed., *The Public Papers of George Clinton* (10 vols. New York: State of New York, 1899).

Hobart, Lois, *Patriot's Lady: The Life of Sarah Livingston Jay* (New York: Funk and Wagnall's, 1960).

Hoes, Roswell Randall, trans. and ed., *Kingston Reformed Dutch Church Baptismal Records, Marriage Register* Vols. 1 and 2. (New York: Printed for the editor, 1891).

Johnston, Henry P., ed., *The Correspondence and Papers of John Jay* (New York: G.P. Putnam's Sons, 1890).

Kerber, Linda K., *Women of the Republic*, Chapel Hill: University of North Carolina Press, 1980).

Levin, Phyllis Lee, *Abigail Adams* (New York: St. Martin's Press, 1987).

Monaghan, Frank, *John Jay: Defender of Liberty* (New York & Indianapolis: The Bobbs-Merrill Company, 1935).

_____and Marvin Lowenthal, *This Was New York: The Nation's Capital in 1789* (New York: Doubleday, Doran & Co., Inc., 1943).

Morris, Richard B., ed., *John Jay: The Making of a Revolutionary* (New York: Harper & Row, 1975).

_____ , *John Jay: The Winning of the Peace* (New York: Harper & Row, 1980).

Norton, Mary Beth, *Liberty's Daughters: The Revolutionary Experience of American Women, 1750-1800* (Boston: Little, Brown & Co., 1980).

Brink, Benjamin Meyer, ed. and pub., *Olde Ulster: An Historical and Genealogical Magazine* Vols. 1, 2, 3, 4, 10. (Kingston, NY: 1905-1954).

Prince, Carl E., ed., *The Papers of William Livingston* (Trenton: New Jersey Historical Commission, 1979).

Reynolds, Cuyler, comp., *Genealogical and Family History of Southern New York and the Hudson River Valley* Vol. 1. (New York: Lewis Historical Publishing Company, 1914).

Schechter, Stephen L., ed., *The Reluctant Pillar: New York and the Adoption of the Federal Constitution* (Albany, NY: New York State Bicentennial Commission, 1987).

Scholten, Catherine M., *Childbearing in American Society: 1650-1850* (New York: New York University Press, 1985).

Sedgwick, Theodore, Jr., *Memoirs of the Life of William Livingston* (New York, 1833).

Smith, Thomas E., *The City of New York in the Year of Washington's Inauguration, 1789* (New York, 1889).

Spaulding, E. Wilder, *His Excellency, George Clinton: Critic of the Constitution* (New York: The Macmillan Company, 1938).

Syrett, Harold C., *The Papers of Alexander Hamilton* Vols. 2 and 15. (New York: Columbia University Press, 1961).

Van Rensselaer, Florence, comp. and pub., *The Livingston Family in America and its Scottish Origins* (New York: 1949).

Wilson, James Grant, "Society in the Early Days of the Republic," *Magazine of American History* [1893], (29: 81-107).

Young, Alfred F., *The Democratic Republicans of New York* (Chapel Hill: University of North Carolina Press, 1976).

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Four Who Dared
Women Who Made History in Rensselaer County

by

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In 1989, the New York State Commission on the Bicentennial of the U.S. Constitution awarded a grant to Russell Sage College to create a dramatization of constitutional issues in the history of Rensselaer County. An important but unrecognized aspect of this history was the struggle for women's rights.

The purpose of the project was to produce a 40-minute play for fourth-grade students as part of their curriculum on local history. The play was augmented by study materials given to the classes before the performance was viewed. The play was performed on twelve occasions in elementary schools throughout Rensselaer County and at Russell Sage College in 1989–90.

The project had the following objectives:

1. To enable students to understand the meaning of inequality.
2. To show how the lives of women and blacks were affected by inequality.
3. To illustrate how ideas about changing women's lives differed.
4. To relate past inequalities to the present.

For social studies teachers who might wish to use the play in class, the following suggestions/observations might be helpful.

1. The play is appropriate for performance/study/viewing from fourth grade thru twelfth grade.
2. For actual performance, it might be advisable to rely upon students in grades 9–12, however grades 4–8 could learn a lot from a staged *reading*.
3. Encourage students to make or approximate period clothing.
4. Use minimal props.
5. Make any changes that would enliven the performance.
6. Most important, make the production a combined teaching effort. Find faculty partners who can lend expertise in their field. Such an effort would most closely approximate the process of creating this play—a marriage of the social sciences and performing arts.

Maren Stein of Russell Sage College conceptualized, researched, and prepared study materials for the project. Richard Jones, also of Russell Sage College, wrote and produced the play. During its first year, the play was performed by Sage students.

(A quiet corner of the N.Y.S. Museum. Four display cases set in a roughly semi-circular configuration, facing the audience. In each of the cases is a female mannequin in historical dress. S.L. is a display board with the words, "The Struggle for Equal Rights." D.C. is a padded bench. Seated on the bench is a young girl, Mary, of about 11, hurriedly tying her sneaker.)

Mary: *(Shouting toward the audience, as if to a classmate)* I'm right here! Tell her I'm coming! *(Directly to the audience)* My teacher, Mrs. Austin, wants me to hurry up. Everybody's getting on the bus. How come I'm always the last one? . . . I don't know . . . But I *do* know how I feel! My feet hurt, I'm hungry, and I'm tired! . . . But *most* of all, I bored! Museums are so boring! Just a lot of dummies, like these right here. *(Gesturing to the mannequins)* Aren't they silly? Who are these ladies? Why are they dressed so goofy? Anyway, who cares? They don't have anything to do with me. *(Feeling sorry for herself. A big yawn)* Nothing is this place has *anything* to do with me! *(She falls asleep and the entire play is her dream—After a few seconds, she dreams she awakes.)* Hey! must've fallen asleep for a minute, I'd better hurry up, or Mrs. Austin will come back after me. . . . *(The D.R. mannequin, Emma Willard, comes to life.)*

Emma: Pardon me, little girl . . . Mary . . .

Mary: *(Stopping dead in her tracks)* Huh?

Emma: Your name *is* Mary, is it not?

Mary: How'd you know that? Who are you, anyway?

Emma: Emma. When I was you age I was Emma Hart, but when I got married, I became Emma Willard.

Mary: But . . . you were in that case over there . . . statues can't talk!

Emma: I could not help but hear what you said.

Mary: I didn't say anything!

Emma: As I recall, you said that nothing in this museum had anything to do with you

Mary: Hey! I'm sorry! Listen, don't get upset. . . .

Emma: You need not be frightened. I understand your feelings. Museums can, sometimes, be puzzling. There's so much to learn about, one hardly knows where to begin.

Mary: You talk just like my teacher, Mrs. Austin.

Emma: Naturally, I *was* a teacher right here in Rensselaer County. That was long ago, when Thomas Jefferson was our president.

Mary: Really?

Emma: And I had sixteen brothers and sisters!

Mary: Oh my gosh!

Emma: *(Indicating audience)* If you would be so kind as to sit with the children, I will tell you my story and we'll play a little game. And, my dear Mary, I promise you that you shall not be bored! *(Mary sits in the audience)* I grew up on my father's farm. We raised sheep. All the wool that we gathered was divided into three parts. My father received the best wool, my brothers received the next best, and that which was left, the poorest quality wool, was given to the women.

Mary: But didn't the women make everyone's clothes out of the wool?

Emma: Of course, it was our main task.

Mary: Then how come you got the worst wool for yourselves? I mean, you worked hard, didn't you? It doesn't seem fair.

Emma: Indeed it doesn't, although as a girl I thought little about fairness. I only made sure that I obeyed my mother and father. I thought that I would always be a farm girl and farm life had its traditions. Then, when I was twelve, a wonderful thing happened. My father began to tell me about all the ideas in the books he had read. He became my teacher, in a way, and I started to study geometry, and. . . .

Mary: Ick! Wasn't it bad enough going to school and doing homework without your dad bugging you with even more school stuff?

Emma: You misunderstand, Mary. In those days few, if any, girls went to school, and those who did had to stop at the end of sixth grade. But with my father's approval, I *did* go to school and became a teacher. I was teaching in Vermont when I met John Willard. Shortly after my 22nd birthday we were married. *(To audience)* Let me ask you a question. How many of you have mothers with jobs outside your home? Mary, would you please count hands and report the number to me? *(Mary instructs audience to raise hands, counts, banters, etc.)* That is a true amazement to me. It's inspiring to see that we have come so far in 180 years.

Mary: I don't understand what you mean.

Emma: In my time it was unthinkable for a woman to work when she was married. If my husband had not lost nearly all our money, I never would have returned to teaching. He needed my help and he had always encouraged me in my quest for knowledge. I had not taught for five years, and I decided to go to a nearby college to sharpen my mind, but they refused to accept me.

Mary: Why? Were you guys too poor to pay?

Emma: No, we could afford it.

Mary: I know they couldn't say you weren't *smart* enough . . . why were you kept out?

Emma: Because I was a woman, and only men could attend the college.

Mary: Oh . . . that's cool, I mean, you could have gone to Russell Sage or some other college for women.

Emma: No, there weren't any. In those days, women could not study the same subjects as men. We only learned proper manners, religion, reading, and house skills such as cooking. Mary, let's try a little experiment! Ask two of the boys and two of the girls to come here to me.

(Mary gets volunteers. During this game, the following events should take place with free-form dialogue among Emma, Mary, and the children: each pair is asked to write their favorite school subjects on a pad of paper; each group is then asked if it would be a good idea for only class members of their sex to study that subject; each group is asked why they responded the way they did. Regardless of their answers, Emma replies with something like, ". . . the situation that I found myself in . . ." Emma then segues directly into. . . .)

Do you know what I did? I taught myself the college subjects that only men could study. And I opened my own school in Vermont.

Mary: All right! Way to go, Emma-baby! . . . er . . . uh . . . I mean . . .

Emma: *(Dismissing Mary's embarrassment with a smile)* I was so pleased with the success of my school! I believed it was the beginning of a new and happy era in the history of womankind! I decided to open a bigger school in Waterford, New York. Do you know where Waterford is? *(If not, she tells them.)* Then I heard that Troy wanted a female academy, and I moved there in 1821 and opened the Troy Female Seminary.

Mary: Hey, wait a minute . . . did you know Uncle Sam? He lived in Troy back then. I remember from the exhibit I saw in the other room. . . .

Emma: I thought you said museums were boring? *(Mary looks sheepish)* No, I didn't know Samuel Wilson personally, but from my window I could see his wagons rolling down to the docks. Troy was a tiny little river town, but I knew that the Erie Canal was going to change everything. Soon there would be many people and children who needed to go to school. That's why I trained my young ladies to be teachers.

Mary: Was it hard to learn to be a teacher back then?

Emma: *(Taking a list from her sleeve.)* Here is a list of the subjects my young ladies studied. *(Gives it to Mary)*

Mary: "Reading, writing, spelling, arithmetic, grammar, geography, history, maps, the globe, algebra, geometry, trigonometry, astronomy, natural philosophy, chemistry, botany, physiology, mineralogy, geology, and zoology" . . . Awesome!

Emma: Turn the list over.

Mary: Huh?

Emma: What you read listed the subjects my young ladies studied in the morning.

Mary: *(Thunderstruck)* IN THE MORNING! All I can say is I hope they packed down plenty of pizza at lunch, because they must have been exhausted! *(Turning the list over)* In the afternoon they studied dancing, drawing, painting, French, Italian, Spanish, and German! Gee, and I think school is hard if we have a fire drill!

Emma: Besides their studies, my young ladies and I engaged in weekly talks on manners and behavior. Each of them lived in a small room with a roommate and did their own cleaning and cooking.

Mary: Sounds like fun. Hey, did any of your students become like doctors or lawyers or anything?

Emma: I did not believe that men and women should compete for the same jobs. Girls, after all, looked forward to marriage and motherhood. For them, household affairs and the early teaching of their children were most important. *(This last speech stirs to life the mannequin of Susan B. Anthony. Dressed in the "Bloomer" costume, she marches to Emma, very agitated.)*

SBA: And that's just where you made your mistake, Willard! Teaching your young ladies to be inferior to men!

Emma: Nonsense! I taught my students to be able to think seriously. But I also believed that a woman's beauty, grace, and manners were a great source of power for good.

Mary: *(To the audience)* I cannot believe this lady's clothes! I mean, they are just too gross! Maybe she's with the circus?

SBA: I heard that! Isn't it just like 1989 children to make fun of anything they don't understand. *(Pointing to Mary's jeans)* Just what do you call those things?

Mary: *(A bit too sassy)* Stonewashed Levi 501's. In case you haven't heard, these are cool, Lady.

Emma: Mary, mind your tongue. Do you know to whom you are speaking? *(Mary looks puzzled)*

SBA: Susan B. Anthony's the name. I am wearing the style originated by Amelia Bloomer. Many women of my acquaintance wore them. They gave us freedom to move more freely and kept us cool during the summer. They are, in fact, the first pants for American women. That makes them the great-great-grandmother of your 5-0-whatever they are!

Mary: Gosh, I'm sorry. . . . I didn't mean to be rude.

SBA: I forgive you, my dear. I feel a bit angry at the moment, angry at the slow progress of the Equal Rights Movement during my life. I died in 1906 and women had to wait until 1920 to get the vote.

Mary: My mom didn't vote last time. She said she was too busy that day.

SBA: Too busy to vote? Outrageous! I hope that when I'm through today every girl in this class will realize what a hard-won treasure the right to vote is. Women of today don't realize how *bad* things used to be. Mrs. Willard, when you opened the Troy Female Seminary, to whom was the property rented?

Emma: To my husband, of course.

SBA: Even though he had nothing to do with your school?

Emma: Naturally. Because I was a woman, the property—by law—was leased to my husband.

SBA: And I say that made *you* the legal property of your husband! It was a *blot* on civilization! And so it was for much of my life. When I was a teenager, I can remember telling my father that a young woman, Sally Ann Hyatt, would make an excellent supervisor at our family mill. He looked at me sternly and said, "It would never do to have a *woman* as supervisor. End of discussion! He never told me why. When I was in fourth grade, I was not taught division in arithmetic. Why? Because I was a girl!

Emma: You should have come to my school, Miss Anthony.

SBA: Yes, your famous Female Seminary. *(To audience)* Did you know that Emma Willard started the first physical education classes for girls in our country?

Emma: I took great pride in our exercise program. It was designed to develop the health of the whole body.

Mary: Wait a minute! You mean that, before Mrs. Willard, girls didn't take gym? Not even kickball or gymnastics? Why?

SBA: Because many doctors believed that if a girl was educated it would strain her brain, and make it impossible for her to have babies.

Emma: But physical exercise could balance the mental strain.

SBA: Poppycock! The whole idea was just a foolish superstition that kept women from being viewed as equal to men.

Mary: My cousin's going to have a baby and she exercises with a video every day.

Emma: Of course, you're right. But the doctors had great authority.

SBA: Authority that we had to fight! I was always a fighter. I began in the Temperance Movement. *(To the audience)* Do you know what that was? *(If no reply, Mary speaks up)*

Mary: Learning how to control your temper?

SBA: *(Smiling)* No, my dear. The Temperance Movement tried to persuade people to give up drinking alcohol. After that, I became an abolitionist.

Mary: I know what that is—someone who wanted to free the slaves, like Abraham Lincoln did!

SBA: Thanks to the pressure *we* applied. Then, after our horrible Civil War, I realized my true calling was in helping the girls and women of America in every way I could.

Mary: How? Were you a teacher like Mrs. Willard?

SBA: At first, yes. Then one day I discovered that one of the male teachers in my school was paid $40 a month while, for the identical work, I received only $10 a month. I was so angry, I resigned from my teaching position. A few years later, a marvelous event occurred in Seneca Falls, New York. In 1848 the first convention for women's rights was held. It was led by Elizabeth Cady Stanton, whom I met some time after that.

Emma: Yes, I knew of her. She wrote that men *and* women are created equal, and she called for women's suffrage.

Mary: What does suffrage mean?

SBA: Suffrage means the right to vote. I joined the movement, but our work stopped during the Civil War. When peace came, the Fifteenth Amendment to the Constitution gave the right to vote to freed *male* slaves. Women of both races were again ignored! Can you imagine what it is like to have no say in matters that concern you? Let me show you how difficult it was for us. *(To audience)* Please take out the ballots which you filled out earlier today.

(Mary and Emma collected the pink and blue ballots, separated them, and hand them to SBA who rips up the blue ballots, tossing them into the air and saying) Boys are *not* allowed to vote! *(Since only the girls' ballots are counted, a girl will clearly be elected. Her name is announced and she is asked to come forward. Sotto voce, SBA asked the child if she likes the color pink. She is them told to ask the class how many like pink, how many don't. She tells the class that boys votes don't count and that everyone, including boys will have to wear pink to school every Friday. Susan continues to speak.)*

I am sure that all the boys in the class would be angry and embarrassed if they really had to wear pink every Friday. Yet, if this election were real, what choice would the boys have? They could not change the color unless they could vote. And they could not vote unless the girls let them.

Emma: But the girls would not let the boys vote unless the boys *liked* pink.

Mary: Then there's no way the boys could win. And you say it really used to be like that for women? So what could you . . . I mean, we do? If I'd been around back then I would've been so angry I probably would've gotten into big trouble.

SBA: Humph! I've known lots of "trouble" in my day, dearie. *(Laughing)* I remember back in 1852 I went to a temperance meeting in Albany. Women were permitted to attend, but were supposed to keep silent. I decided I *had* to speak, but when I raised my hand the man leading the meeting said, "the sisters were not invited here to speak, but to listen and learn."

Emma: That's an attitude I knew all too well. Men treated grown women as if they had no mind at all.

SBA: I was thrown out of that meeting, and when I called meetings of my own in Albany, several ministers said I was "half man half woman, belonging to neither sex." *(Laughing)* But such foolish words were no more to me than the quacking of ducks. . . .Then there was the time fourteen women and I were arrested in Rochester.

Mary: Why? What did you do?

SBA: The warrant said we illegally voted in the election of 1872. We *did* vote, but we felt we had the right to do so. I'll never forget the chamber where the officials questioned us. A cold, dark room with smoke-stained windows. . . . *(During this speech, the mannequin U.L. begins to stir. It is Harriet Tubman.)*

Harr: I know that room! I *know* that room! The marshals snatched a fugitive slave away from me outside of Rochester and took him to that room. I hid outside, scraping the soot off those windows, trying to see in.

SBA: Saints be praised! If it isn't Harriet Tubman! I've always wanted to shake your hand! *(They do so)* Susan B. Anthony!

Harr: Yep, I'm Harriet Tubman, alright. Although, lots of folks called me "Moses." Heck, John Brown himself used to call me "General" Tubman.

Mary: *(Whispering)* Mrs. Willard, who's Harriet Tubman?

Emma: *(Much too loudly, embarrassing Mary)* Harriet Tubman, born a slave, exact date unknown. Ran away from her master and spent most of her life rescuing other slaves from captivity.

Mary: Wow!

Harr: Born a slave . . . like my mother and father before me. My grandparents were free, till they were brought here in chains from Africa. I grew up on a big plantation in Maryland . . . Funny. My earliest memory was of the first time I tried to run away. My daddy found me and brought me back. I was nine years old. *(To audience)* How old are you all? *(Most will be 9)* Uh-huh, then I was just your age. The master whipped me so hard, I thought my shoulderblades would crack. But I didn't cry out. I felt all hard inside . . . like I swallowed a stone . . . I wasn't a good servant. Everybody in the big house complained about me. When I was 13 or 14, a field boss struck me in the head with a shovel and fractured my skull . . . *(laughing)* years later, I would doze off all the time and my husband joked with me that I was sleepy 'cause I got hit upside the head. . . . He was probably right.

Mary: I can't imagine anyone hitting you, you're so tall and. . . .

Harr: Strong? Yes, my muscles grew round and hard from working with my father. He was a wood cutter.

SBA: You referred to yourself as "Moses." How did you come by that name?

Harr: When I was around 30, I heard that the slaves on my plantation were going to be sold to many different owners. I didn't want to lose touch with my family. So, one night, I snuck out of a window and ran all the way to Philadelphia, where I got a job in a hotel. After that, I secretly went back to the plantation and guided my sisters to freedom. Then, the next time, I brought out my brother, his family, and eleven others. All together, I reckon in the ten years before the Civil War I made about 19 trips down to Maryland to guide my people to freedom.

SBA: But what about the name, "Moses?"

Harr: Well, you know the song, don't you? . . . You know, "Go Down Moses?" *(They look blankly, so Harriet begins to sing)*

Go down, Moses,
Way down in Egypt's land.

(The others recognize the song, and join Harriet, who starts over)

ALL:
Go down, Moses,
Way down in Egypt's land.
Tell ole Pharaoh
Let my people go.

Emma: Do you not see, Miss Anthony? It's the Bible story. When Moses led the Jewish people out of Egypt, the Pharaoh chased them with chariots and horses. . . .

Mary: *(Interrupting)* And God held back the waters of the Red Sea to let Moses pass. Then God made the water rise again and drown all Pharaoh's army.

SBA: Of course! And Miss Tubman, as the rescuer of her people, became known as "Moses."

Harr: I was known as Moses. And my people said, "Go down, Moses!"

Mary: Go down, Moses!

Harr: They said, "Go down, Moses!"

Mary/ SBA: Go down, Moses!

Harr: They said, "Moses, go down and tell old Pharaoh to let our people go!"

Emma: Yay! *(Everybody looks at Emma)* My! Such excitement! Mrs. Tubman . . .

Harr: Call me Harriet.

Emma: Harriet, weren't these trips to slave country filled with danger?

Harr: Of course they were. But I outfoxed them every time. I used to send my people messages written in code using Bible talk, like: "Tell my brothers to be always watching unto prayer, and when the good old ship of Zion comes along, to be ready to step on board."

Mary: Oh! That meant to keep a watch for your wagon that would carry them to safety!

Harr: You got it. I brought my parents out that way when they were over 80 years old. Another time, I escaped the sheriff by putting my people on a train headed south. Nobody ever thought that runaway slaves would travel in *that* direction. Then there was a time I let loose a bunch of chickens in the middle of town and, while everybody was tripping over them, me and my people got away.

SBA: I notice you carry a rifle. Why is that?

Harr: Got my Winchester. I had a revolver too. Had to carry them for my own protection. Plus, a slave who decides at the last minute that he doesn't want to run away is more likely to find his courage when there's a gun pointed at him.

Emma: But were you never caught?

Harr: Nope. For a while, there was a $40,000 reward for my capture, but they couldn't stop me. One time, in Troy, New York, I disguised myself and got right next to the U. S. marshals who were taking a fugitive slave named Charles Nalle back to the South. I threw my arms around Charles and a big fight started. We broke loose and ran down a hill, got knocked down, and rolled right into the Hudson River, but I never let go of him. Then, when they thought we were dead, we swam out and I got him into a boat to cross the Hudson.

Mary: Did he get away?

Harr: No. The marshals caught him and, the next day, we stormed the office where he was being held. A good man, my helper, died in the fight, but Charles Nalle escaped to freedom.

SBA: You referred to John Brown. I assume you meant the famous abolitionist?

Harr: That's the man. I met John Brown in Canada and helped him make plans for his war against slavery. He said I was such a good planner that he was going to call me "General" Tubman. Told me I could lead his army any time I wanted.

Emma: What were you doing in Canada?

Harr: After the United States passed the Fugitive Slave Laws, which made it illegal to be a runaway even in the North, Canada became the end of the line for the Underground Railroad.

Mary: Underground Railroad? What's that, a subway train?

SBA: No, my dear, the Underground Railroad was a network of people against slavery, like Mrs. Tubman. . . .

Harr: Harriet.

SBA: Like Harriet, who helped runaway slaves leave the South. The people would hide the slaves in houses, barns, and churches, and arrange transportation for them by night.

Harr: That's right. And the "Railroad" went from Virginia all the way to Canada. Had lots of activity right around here, too. It was dangerous work for the people who helped out. They could be arrested and fined more money than they could make in ten years. It was dangerous for the slaves, too. If they got caught and sent back to their masters they'd get badly beaten. I heard tell of one woman who got her foot cut off so she could never run away again.

Emma: I seem to recall that one of my young ladies told a story about her mother. Her family lived in Sand Lake and they had fugitive slaves in their tavern from time to time. Once, while the marshals were searching the house for runaways, the mother sat on her porch rocker, knitting a shawl. When the marshals left empty-handed, several children crawled out from beneath the mother's large skirt. She had hidden them right under the marshals' noses!

SBA: Not just Sand Lake, but Albany, Troy, Brunswick, and Lansingburgh were active in the Underground Railroad.

Emma: That's true. I remember the day the train carrying John Brown's body came through Troy. His widow insisted it do so, because of all the abolitionists who lived there and had helped slaves escape. *(During this speech, the D.L. mannequin, Kate Mullaney, rises.)*

Kate: Yes, I remember that day well. All the men in the ironworks got to go to the depot to see the dead man's train. But me and my sisters in the laundry weren't permitted to go. We had to work, like always. *(There is a silence)* . . . You don't know who I am, do you? . . . Well . . . I'm just a woman. . . . I'm nothing but a woman.

Mary: *(Noticing the bandage on Kate's arm)* What happened to your arm?

Kate: Nothing unusual for the likes of me. I leaned too close to my red-hot iron and burned the flesh off my arm.

Emma: Dear Lord!

Kate: It's not so bad. At least it will heal. My sister was only sixteen when both her hands swelled up into angry red lumps. Her fingernails fell out and she couldn't hold a spoon to drink her soup. She was a starcher and her hands were in wheatstarch all day. It was that gooey, awful stuff that gave her the disease.

We called the sickness "felon," because it stole the money from our pockets when we couldn't work any more. My union forced the company to change from wheat to cornstarch, which didn't harm the hands.

SBA: I once knew a collar laundress from Troy who was a union organizer. Her name was Kate Mullaney.

Kate: And so is mine. I recognized you immediately. You're Susan B. Anthony, ain't ya'. I once wrote you a letter that you printed in your newspaper, *The Revolution*.

SBA: I remember. You related how your union planned to start your own collar manufacturing company.

Kate: It only lasted a short time. We couldn't compete with the Cluett Company. Troy became known as Collar City, but it couldn't have happened if me and my sister-workers didn't toil our lives away.

Mary: I don't get it. Why did you only wash collars? Couldn't you have washed the whole shirt? And how come people brought you their laundry? Couldn't they have used their own washing machines?

Harr: Ain't it amazing how little young people know about the past! In the first place, in those days collars were separate from shirts. *(Kate takes out collar and shows to audience)* Every free man had lots of collars, and he'd wear a fresh one every day.

SBA: And Miss Mullaney didn't wash people's laundry. She washed the new collars that the factory had made. As for washing machines, electric appliances didn't start to appear regularly until all of us were dead and gone.

Kate: It was long, hard work. First, we had to wash the collars in a suds bath, then we bleached them in hyperchloride of soda. Many's the time a bleacher fainted from the fumes of that poison. Then came sulphuric acid, to complete the bleaching process. It ate the skin down to the bone. The bleached collars had to go into the suds bath again, to remove the bleach. Then they were boiled, rubbed, rinsed, blued, rolled, thin starched, thick starched, dried, and finally ironed.

Mary: And you did all that?

Kate: No! That would have been impossible and too slow. Each group of women had a different task. I was a ironer. I had to support myself, my mother, and two younger sisters. I stood on my feet for eleven hours a day . . . sometimes *fourteen* hours a day! The temperature in the shop was over 90 degrees in the dead of winter. I had to continually lift a hot, heavy iron. The women on either side of me both got lung disease and died. None but the strongest could stand it.

Emma: Was there no other job you could get?

Kate: I was Irish! It was either collar laundering or serving and cleaning up after others. Besides, the money was good. When I started, I made $4.64 a week. Trouble was, the average working *man* made three times more.

SBA: So you decided to join a union.

Kate: Not *join* a union, but start my own. I knew that women had to organize separately from men. Women were just as smart as men, but were afraid to speak up at union meetings led by men. So, their needs were usually ignored.

Harr: Did the union succeed?

Kate: Better than I could've dreamed. We called ourselves the Women's Collar Laundry Union, and we represented over 100 workers. We lasted from 1864 to 1869, longer than almost any other union of that time.

Harr: What did you get that you didn't have before?

Kate: The main thing was that we raised our weekly wages to $6.96. Our bosses never would've given us more money if they could have fired us. But, in a union, everyone stands together. There were too many of us to fire all at once.

Harr: I remember, back in Philadelphia, they were always trying to *bust-up* unions. The bosses ever try that with you?

Kate: One time they tried to train girls to take our place. Ironing took lots of skill and wasn't an easy job to learn.

Harr: That's just what they did in Philadelphia. Did it work?

Kate: No! It turned into one big pot of stew that the bosses found themselves swimming in! The girls who they were training figured out that they could get jobs and push the union out, but that, without the union, their wages would be terribly low. So, instead of helping the bosses, they joined us!

Emma: Why did the union stop in 1869?

Kate: We went on strike for higher wages. The bosses didn't care about the few pennies more, but they saw a chance to bust our union. The bosses were powerful men and they controlled the newspapers. Everybody in Troy was told how a "bunch of female busybodies" were destroying the city's main industry. . . . They all turned against us and the union was broken.

SBA: You should have turned to my organization, the Workingwomen's Association, for help.

Kate: We did! And you know how much your sweet ladies raised for us? Thirty dollars! Thirty dollars for 200 souls! That's all we could expect from *rich people*!

SBA: How dare you!

Kate: And what's more, your newspaper—with all its claptrap about women's rights—didn't even hire women from the Printer's Union! You were too cheap!

SBA: We couldn't do everything! The drive for women's suffrage was terribly expensive. Women were nothing if they couldn't vote. Voting was all that mattered!

Harr: You talk like a crazy woman! What good does voting do if women are beaten like animals and don't have their freedom?

Emma: Fiddlesticks! Freedom is of no use to woman if she does not have the education to take advantage of her freedom!

Mary: Hey, hold on! Don't start fighting! I think each one of you is wonderful! You each dared to do something great and succeeded. Please . . . don't! . . . *(She is crying. The women look at each other. Harriet goes over to comfort the crying Mary).*

Kate: You know, she's absolutely right! I think the Bible says that "from out of the mouths of babes comes wisdom." I'm sorry, Mary. *(She kisses Mary)* It was my Irish temper that got me going. And these other ladies are sorry, too. *(To Emma)* Aren't you?

Emma: I'm sorry, Mary.

Kate: *(To SBA)* Aren't you? *(SBA balks)* Aren't you?

SBA: I'm sorry, Mary.

(Under the following speech, the cast hums the "Battle Hymn of the Republic")

Kate: We're all of us nothing but women. And an American woman's got the right to live the best life she can. But it's a struggle, and fighting among ourselves ain't going to get us anywhere. We are equal in the eyes of God, whether in our right to be educated, to earn a fair wage, to vote for the man *or* woman of our choice, and to have all these rights regardless of our skin.

Harr: I think she's asleep.

Kate: Let her be. It's time for us to go back to sleep ourselves. When she wakes up, she'll forget us, but—God willing—she'll not forget the struggle we all fought. More children are coming tomorrow, and we have to be at our best. Until the next time, sweet sleep, sisters.

A Matter of Reflection and Choice:
The Federalist / Antifederalist Debate

Prepared By
RACHEL BLIVEN

INTRODUCTION

New York State was the home of some of the nation's most outspoken supporters of the Constitution. Alexander Hamilton and John Jay were nationally recognized figures in American politics, and yet a large percentage of the state's inhabitants, including Governor George Clinton, were known to be against the new Constitution. Newspapers were popular forums for the debate over the proposed form of government. Essays were published to support each side, and the materials often were printed as broadsides or pamphlets.

On October 27, 1787, the New-York Independent Journal *ran the first of a remarkable series which summed up the arguments in favor of the new government. Signed with the pseudonym "Publius," the eighty-five essays—now known as* The Federalist *papers— clearly outlined the principles which shaped the Constitution. Antifederalists, who opposed the new Constitution, were quick to voice their objections, and for the next nine months, the newspapers carried the debate.*

The following quotations are excerpts taken from essays written by Federalists and Antifederalists that appeared in the New York press between September 27, 1787, and July 26, 1788, the day the New York Ratifying Convention approved the United States Constitution. Brackets indicate the source of each quotation; numbers refer to The Federalist *as paginated in the Bantam Classic edition.*

The Federalist: It seems to have been reserved to the people of this country, by their conduct and example, to decide the important question, whether societies of men are really capable or not, of establishing good government from reflection and choice, or whether they are forever destined to depend, for their political constitutions, on accident and force. [No. 1, p. 2]

Antifederalist: Deliberate . . . on this new national government with coolness, analyze it with criticism, and reflect on it with candor. If you find that it will secure to you and your posterity happiness at home, and national dignity and respect abroad, adopt it—if it will not, reject with indignation—better to be where you are, for the present, than insecure forever afterwards. [Cato]

The Federalist: Not only the first, but every succeeding Congress, as well as the late Convention, have invariably joined with the people in thinking that the prosperity of America depended on its Union. To preserve and perpetuate it, was the great object of the people in forming that Convention, and it is also the great object of the plan which the Convention has advised them to adopt. [No. 2, pp. 7-9]

Antifederalist: It strikes me that by the proposed constitution, . . . the future Congress will be fully authorized to assume all such powers as they in their wisdom or wickedness, according as the one or the other may happen to prevail, shall from time to time think proper to assume.

Let us weigh this matter carefully; for it is certainly of the utmost importance, and, if I am right in my opinion, the new constitution vests Congress with such unlimited powers as ought never to be entrusted to any men or body of men . . . The possession of sovereign power is a temptation too great for human nature to resist. . . . [An Old Whig]

The Federalist: Duty, gratitude, interest, ambition itself, [these] are the chords by which the representatives will be bound to fidelity and sympathy with the great mass of the people. It is possible that these all may be insufficient to control the caprice and wickedness of man. But are they not all that government will admit, and that human prudence can devise? . . . Are they not the identical means on which every State Government in the Union, relies for the attainment of [the liberty and happiness of the people]? [No. 57, p. 29]

Antifederalist: . . . By the sixth article of the constitution it is declared that, "this constitution, and the laws of the United States, which shall be made in pursuance thereof, shall be the supreme law of the land, and the judges in every state shall be bound thereby, any thing in the constitutions or laws of any state to the contrary notwithstanding." The Congress are therefore vested with the supreme legislative power, without control in giving such immense, such unlimited powers, was there no necessity of a bill of rights to secure the people their liberties? [Old Whig]

The Federalist: . . . The people surrender nothing, and as they retain everything, they have no need of particular reservations. "WE THE PEOPLE of the United States, to secure the blessings of liberty to ourselves and our posterity, do ordain and establish this constitution for the United States of America." Here is a better recognition of popular rights than volumes of those aphorisms which make the principal figure in several of our state bills of rights. . . . [No. 84, p. 436]

Antifederalist: . . . All agree in this, that whatever government we adopt, it ought to be a free one; that it should be so framed as to secure the liberty of the citizens of America, and such an one as to admit of a full, fair, and equal representation of the people. The question then will be, whether a government thus constituted, and founded on such principles, is practicable, and can be exercised over the whole United States, reduced to one state? [Brutus]

The Federalist: Independent America [is] not composed of detached and distant territories, but . . . one connected, fertile, wide spreading country. . . . Providence has been pleased to give this one connected country, to one united people, . . . very similar in their manners and customs, and who, by their joint counsels, arms, and efforts . . . have nobly established their general Liberty and Independence. [No. 1, p. 7]

Antifederalist: It is the opinion of the greatest writers, that a very extensive country cannot be governed on democratical principals, on any other plan, than a confederation of a number of small republics, possessing all the powers of internal government, but unified in the management of their foreign and general concerns. [Centinel]

The Federalist: Hearken not to the unnatural voice which tells you that the people of America can no longer live together as members of the same family, can no longer be fellow citizens of one great respectable and flourishing empire. Hearken not to the voice which petulantly tells you that the form of government recommended for your adoption is impossible to accomplish. No my countrymen, . . . the kindred blood which flows in the veins of American citizens, the mingled blood which they have shed in defence of their sacred rights, consecrate their union, and excite horror at the idea of their becoming aliens, rivals, enemies. . . . The most rash of all attempts, is that of rending us in pieces in order to preserve our liberties and promote our happiness. [No. 14, p. 66]

Antifederalist: [Yet] the strongest principle of union resides within our domestic walls. The ties of the parent exceed that of any other; as we depart from home, the next general principle of union is amongst citizens of the same state, where acquaintance, habits, and fortunes, nourish affection, and attachment; enlarge the circle still further, &, as citizens of different states, though we acknowledge the same national denomination, we lose the ties of acquaintance . . . and thus, by degrees, we lessen in our attachments, till, at length, we no more than acknowledge a sameness of species . . . is it therefore . . . reasonable to believe, that inhabitants of Georgia, or New Hampshire, will have the obligation toward you as your own, and preside over your lives, liberties, and property, with the same care and attachment? Intuitive reason, answers in the negative. [Cato III]

The Federalist: Who is so likely to make suitable provisions for the public . . . as that body to which the guardianship of the public safety is confided—which, . . . as the representatives of the WHOLE will feel itself most deeply interested

in the preservation of every part—which, from the responsibility implied in the duty assigned to it will be more sensibly impressed with the necessity of proper exertions—and which, by the extension of its authority throughout the States, can alone establish uniformity and concert in the plans and measures. [No. 23, p. 114]

Antifederalist: Some small degree of power is still left to the states, but a little attention to the powers vested in the general government, will convince every candid man, that if it is capable of being executed, all that is reserved for the individual states must very soon be annihilated. . . . [Brutus]

The Federalist: The powers delegated by the proposed Constitution to the Federal Government, are few and defined. Those which are to remain in the State Governments are numerous and indefinite. . . . If the new Constitution be examined with accuracy and candour, it will be found that the change which it proposes, consists much less in the addition of NEW POWERS to the Union, than in the invigoration of its ORIGINAL POWERS. [No. 45, p. 236]

Antifederalist: The powers of the general legislature extend to every case that is of the least importance—there is nothing valuable to human nature, nothing dear to free men, but what is within its power. It has authority to make laws which will affect the lives, the liberty, and property of every man in the United States, nor can the constitution or laws of any state, in any way prevent or impede the full and complete execution of every power given. [Brutus]

The Federalist: Was . . . the American revolution effected . . . was the precious blood of thousands spilt, and the hard-earned substance of millions lavished . . . that the Governments of the individual States . . . might enjoy a certain extent of power, and be arrayed with certain dignities and attributes of sovereignty . . . ? The public good, the real welfare of the great body of the people is the supreme object to be pursued; and . . . no form of Government whatever, has any other value, than as it may be fitted for the attainment of this object. [No. 45, p. 233]

Antifederalist: Why is a constitution which affects all the inhabitants of the United States, [which is] the foundation of all laws and the source of misery or happiness to one quarter of the globe; why is this to be so hastily adopted or rejected, that it cannot admit of a revision . . . ? Why is it that the framing of a constitution for the government of a great people . . . shall be considered as a thing to be thrown out, in the first shape which it may happen to assume? Cannot the same power which called the late convention, call another . . . ? If we consider the magnitude of the object, we shall deem it well worth a little time and attention—it is much better to pause and reflect beforehand, than to repent when it is too late. . . . [Old Whig IV]

The Federalist: . . . Why is the experiment of an extended republic to be rejected merely because it may comprise what is new? Is it not the glory of the people of America, that . . . they have not suffered a blind veneration for antiquity, for custom, or for names, to overrule the suggestions of their own good sense, the knowledge of their own situation, and the lessons of their own experience . . . ? Had no important step been taken by the leaders of the revolution for which a precedent could not be discovered, no government established of which an exact model did not present itself, the people of the United States might, at this moment, have been numbered among the melancholy victims of misguided councils. [No. 14, pp. 66–67]

Antifederalist: . . . I am of opinion, that it is a sufficient objection to this government to reject that [it] creates the whole union into one government, under the form of a republic. There are many objections, of small moment, of which I shall take no notice—perfection is not to be expected in any thing that is the product of man—and if I did not in my conscience believe that this scheme was defective in the fundamental principle—in the foundation upon which a free and equal government must rest—I would hold my peace. [Brutus]

The Federalist: Happily for America, happily we trust for the whole human race, [the founders of this nation] accomplished a revolution which has no parallel in the annals of human society. They reared the fabrics of governments which have no model on the face of the globe . . . if their works betray imperfections, we wonder at the fewness of them. If they erred most in the structure of the union; this was the work most difficult to be executed; this is the work which has been new modelled by the act of your Convention, and it is that act on which you are now to deliberate and to decide. [No. 14, p. 67]

Every man is bound to answer these questions to himself . . . Let him reflect that the object upon which he is to decide is not a particular interest of the community, but the very existence of the nation. [No. 85, p. 445]

Mock Constitutional Conventions for High School Students

by

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with a commentary by
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This article and its accompanying commentary describe the development of the "Mock Constitutional Convention for High School Students" as a means to teach students about the political challenges facing the framers of the Constitution and about the meaning and value of reasoned argument and compromise. The article sketches the development of the technique and explores how it operates in practice. The commentary analyzes the general conditions that make a "mock constitutional convention" work and addresses the special challenges confronting the mock convention's presiding officer.

My ideas regarding mock constitutional conventions began to germinate in 1987, the year of the bicentennial of the United States Constitution. During that year, a number of reports calling for educational reform were on the public mind, and all of them noted a marked deterioration in high school students' knowledge of the organization and principles that underlay our national government."

"Civic illiteracy is spreading," wrote Ernest Boyer in one of these reports, *High School* (1983),

> and unless we find better ways to educate ourselves as citizens, we run the risk of drifting unwittingly into a new kind of Dark Age. . . .

Reformers also decried students' lack of historical knowledge. In their study *What Do Our 17-Year-Olds Know?* (1988), Diane Ravitch and Chester Finn reported that most teenagers know too little of the chronology of our past and of the major events that have shaped this country; for example, students had trouble placing the Civil War in the correct century.

Most American history teachers were not surprised by these findings. That students did not know enough American history was already evident every day in class. Many students have little knowledge of any events past Columbus's "discovery" of America, which some of them studied in the eighth grade. The question, however, was not whether they knew enough American history. Rather, it was how to get them to learn the history they did not know.

This question takes on special importance in studying the United States Constitution. Students not only should know this document but should have some respect for the accomplishment it represented. That respect is not forthcoming if teachers merely require students to know certain articles and amendments by rote. Rote learning creates resentment—not respect; after all, it is hard to memorize what you do not understand. This is especially true of the Constitution, for the Constitution is unlike any other kind of literature that high school students encounter. It has a different organization and a different language from that found in most reading assignments. "So why is it like this?" students ask. "Couldn't they write it more simply?"

Over time, it became clear that students understood the parts of the Constitution that they could relate to stories they heard in class about the Constitutional Convention. If they could comprehend how, for example, the Great Compromise came about, they could also remember what it was.

Comprehension, however, did not always or necessarily lead to respect. "Why did it take them so long to figure this out? It's simple! You take this position and mix it with that one, and there you have it." High school textbooks are of little help to the teacher who wants to teach the nature of compromise

and the difficulty of achieving it. Textbooks simply describe the Constitution as a great accomplishment, as a "bundle of compromises," and declare that it therefore deserves to be respected. But compromise does not mean much to an adolescent. In fact, adolescents look down on compromise. It means—particularly to adolescent males—that you gave in, and that is not a compliment.

At this point, although it is not an event that receives much coverage in the standard American history curriculum, I began to consider simulating the Constitutional Convention itself. It seemed that the only way left to get students to respect compromise and thus the Constitution was to put them through situations requiring them to engage in compromise. A mock constitutional convention format for American history classes seemed to present unusual opportunities in this regard.

The original plan was for twelve teams of students to represent the twelve states that sent delegations to the original Constitutional Convention in 1787. Each team would research the situation in its assigned state as of 1787. Then the teams would convene and attempt to solve some of the pressing issues of the day in a convention session.

In the first classroom experiment with this format, the students wrote the Constitution as it stands today. On its face, there was nothing wrong with this. What was wrong was the manner in which they did it. Many of them read the Constitution in preparation for the mock convention and were convinced that it was the document that the convention should arrive at. The whole convention became a "fill in the blanks" exercise. The student delegates felt that there was a clear solution to every issue, one readily available in the real Constitution; therefore, compromise was easy. This result was not the goal of the mock constitutional convention exercise. Done this way, the mock convention exercise gave the mistaken impression that the delegates to the Convention knew what they were going to do when they went to Philadelphia and that in politics a clear, right answer is always in sight. The mock convention had to go back to the drawing board.

Three years later, with the assistance of the New York State Commission on the Bicentennial of the United States Constitution and The New-York Historical Society, this classroom exercise has become the "Mock Constitutional Convention for High Schools," a citywide event organized annually at the society since 1987. The new format has developed into a challenging and stimulating experience for almost one hundred students each year from the city's public, independent, and parochial schools.

What follows is a description of the mock constitutional convention format as it now stands and some comments regarding its use. Although the "Mock Constitutional Convention for High Schools" is a day-long affair, other teachers have adapted this format for classroom use as well as for two-day conventions.

The format aims to stimulate debate on three main topics: (i) the structure and composition of the national legislature, (ii) the powers of the national legislature, and (iii) the structure, selection, and powers of the national executive.

Each team of students is assigned to represent a state. When a sufficient number of schools takes part, the organizers have sometimes broken states in half—for example, Virginia Federalists and Virginia Antifederalists—with each delegation receiving a half-vote. At other times, the planners have added states or political entities that were not represented at the original Convention but that could have been there—for example, Rhode Island, the "Independent Republic of Vermont," and the "State of Franklin."

Each student team is required to conduct research to determine the views that delegates from that state would express at the Convention. This student research is most productive when the student delegates meet regularly with their teacher to discuss progress. Much of what has been written about the Convention and each of the states in this period is accessible to high school students with some assistance from their teachers.

Once the students understand the material, the more interesting part of their preparation for the mock convention begins. Each student team is encouraged to develop proposals to present at the convention. These are to be based upon what they have learned about their state's government and situation following the American Revolution. Any proposal is acceptable as long as it is based on the history of the team's state up to May 1787. Therefore, looking at the United States Constitution for ideas is discouraged not only because of its tendency to distort the final outcome of the convention but because, as far as the delegates are concerned, it has not been written yet.

The convention itself opens in general session. There is a chairman of the convention—"General George Washington"—and a convention secretary. These adults sit at the front of the session, and control the conduct of business on the convention floor. They maintain a "queue" of speakers from the state delegations, recognize speakers in the order of each "queue," rule on points of order, and declare breaks so that the delegates may caucus. They also put questions to the convention, call the roll of the states, tabulate and report the votes as taken, and keep track of the proposals adopted. Most important of all, they make certain that the delegates follow the rules of the convention.

The convention rules, most of which were used at the actual Constitutional Convention in Philadelphia, are perhaps the most important feature of the convention, for they determine the manner in which students will debate their proposals. They delineate a process under which reasoned debate, argument, and compromise become possible. Without them, a mock convention quickly would degenerate into chaos. They read as follows:

> Every member, rising to speak, shall address the President, and whilst he shall be speaking, none shall pass between them, or hold discourse with another, or read a book, pamphlet, or paper. . . .
>
> A [delegation] shall not speak oftener than twice, without special leave, upon the same question.

> When debate shall arise upon a question, no motion other than to amend the question, commit it [i.e., send it to a committee], [vote on it], or postpone debate shall be received.
>
> A Question which is complicated shall at the request of any member be divided, and put separately upon the propositions, of which it is compounded.
>
> All questions of order shall be decided by the President without debate.

(We added another rule, for reasons explained below, that no motion to vote would be in order until all delegations that had secured recognition from the president had been heard.)

Because most high school students have had no experience with parliamentary procedure, even these rules are difficult for them to follow. Thus, the president has to educate the students in the proper use of the rules as the convention progresses. For example:

- the students at the first "Mock Constitutional Convention for High Schools" could not see why dividing a proposal into its component parts would make it simpler to debate, so the president explained on a case-by-case basis his decisions to accept complicated proposals in parts.
- The students also had a distressing tendency to call for a vote immediately on an issue. They did not want to debate —they wanted to see who would win. Ultimately, the president prevented votes on motions until all delegations who wished to speak had done so, and, as noted above, later conventions did business under a rule specially framed to avoid this problem.
- Finally, delegates had trouble speaking to each other politely, so the president offered examples of the kind of address that would not be tolerated, such as, "The delegate's proposal is crazy [stupid, and so forth]."

The convention opens with each delegation introducing itself and delivering its "credentials"—that is, the individual state's instructions to its delegates, setting the limits within which each delegation can participate in the convention. For example: are a state's delegates present solely to amend or revise the Articles of Confederation, or can they consider a broader reorganization of the government of the United States?

After the delegations have introduced themselves, the convention entertains proposals regarding the composition of the legislature and its mode of election. This discussion is at once time-consuming and valuable, for it raises several basic questions: Is one house better? Two houses? How long should terms be? What should the qualifications of members be? Of voters? How should slaves figure in any house of the legislature in which delegates are allotted according to the population of each state?

Delegations raise hands to be recognized by the chair. The president and the secretary organize a "queue" consisting of all states wishing to offer proposals on this topic. After these state delegations speak, the next queue is assembled and the first proposal heard forms the basis for debate.

During this debate and throughout the convention, it is important that students have frequent breaks, during which formal debate ends and delegates from the state delegations can caucus with one another. Some of the most creative activity of the convention takes place during these breaks. Delegates wheel and deal with each other. They attempt to form alliances with delegations from states sharing their point of view and to persuade those who are unsure to follow their lead.

Once all delegations have spoken on the proposal at hand, with the state or states offering the proposal given the last word, the proposal is put to a vote with each state having one vote. (Note, again, that states split between two delegations are counted as having one aggregate vote; if the delegations split, the state is counted as "divided" rather than "aye" or "nay.") The secretary tallies the vote and reads the result aloud. If, after several breaks and votes, the convention deadlocks over an issue, the president can appoint a committee consisting of one delegate from each state to meet separately from the rest of the convention (attended by one or more teacher-advisors); the committee's responsibility is to craft a compromise to resolve the question. The convention can then proceed to the next item on the agenda.

The mock convention proceeds in this fashion until all topics have been considered or until there is no time left, the latter usually being the case because students never have as much time (or patience) for this activity as did the original Convention delegates. A list of the proposals accepted by the convention is then presented for the delegations' approval, and delegates determine whether they can sign such a document and send it on to the states for ratification. All states are offered a chance for closing remarks, and in some cases this takes the form of an explanation for why the delegation cannot approve of the convention's work. Over the three years of the "Mock Constitutional Convention for High Schools," these speeches have often been the best of the convention, showing a fine understanding of the situation faced by some of the delegates at the 1787 Constitutional Convention.

After the conclusion of the convention, teachers should spend a class or classes discussing the convention with the students who participated. Students often find the mock convention experience very different from what they expected it to be: "I can't believe it was so difficult to resolve those issues. Now I *really* respect what the Framers went through. Did they actually do that for four months?" Others are impressed—and rightly so—with their own innovative proposals. At the 1989 Mock Constitutional Convention for High Schools, one delegation proposed that the acreage of land tilled by slaves be used as a basis for determining how slaves should be counted for purposes of representation. The proposal never passed, but the students were proud of themselves for developing it. They experienced the creative process that was at work at the Constitutional Convention of 1787 and enjoyed it.

As it now operates, the "Mock Constitutional Convention for High Schools" teaches students to appreciate the process that created the United States Constitution and allows them

to practice skills of debate, consensus-building, compromise, and negotiation upon which the success of any political endeavor depends. It addresses the worries of educational reformers regarding civic illiteracy and students' poor grasp of American history. Now each year students from different racial, cultural, and ethnic backgrounds, many of whom would not have been allowed at the 1787 Convention, assemble for a day and work together as a group to solve common problems. The action may be taking place in 1787, but the skills they are learning are for today—and for the future.

Commentary

by

RICHARD B. BERNSTEIN

As a constitutional historian who has long studied the Federal Convention of 1787, I found it particularly rewarding to serve as "George Washington" at the three "Mock Constitutional Conventions for High School Students" organized at The New-York Historical Society by Lawrence F. Woodbridge. Just as students learn about debate, parliamentary tactics, compromise, and negotiation from their participation, so, too, I learned a great deal about how a deliberative body works—and does not work—from watching these delegates. Each convention has its own personality, its own collection of "stars" and of quiet delegates whose presence may make just as much a difference. Each convention runs into its own roadblocks and develops its own range of surprising solutions. Rarely does a convention track the doings of the 1787 Convention.

This commentary on Woodbridge's article presents some additional comments on basic issues having to do with mock constitutional conventions and on the challenge of presiding over such a convention—of being "George Washington." (These comments draw on my experience "on both sides of the desk," for not only have I presided over three "Mock Constitutional Conventions for High School Students"—I also served as a delegate in one in 1973 at Stuyvesant High School, an experience which sparked in me an abiding interest in the Federal Convention of 1787 and in constitutional history.)

1. *Students should not seek to re-enact particular historical figures, especially not any delegate who actually attended the Federal Convention.* This point grows out of personal experience and out of a chance observation in Clinton Rossiter's book *1787: The Grand Convention* (which should be at the elbow of every high-school teacher organizing or taking part in a mock convention) that at least two equally capable and effective collections of delegates might have been assembled if none of those who actually met in Philadelphia in 1787 had been available for the task. First, if a student is cast as a "real" historical figure, this casting becomes a strong inducement for that student to replicate the figure exactly, often elevating side-issues, such as Benjamin Franklin's gout or Roger Sherman's coffee-drinking or James Madison's note-taking, beyond their real significance. Second, casting students as particular Convention delegates induces the students to try to replicate what their role-model actually did, and thus to replay the actual history of 1787.

We solved this problem by asking the students to assume that none of the "original cast" had been chosen for this convention, and by stressing to them that whatever they might remember from the original Convention is completely irrelevant in the mock convention because we begin on May 25, 1787, and none of that "history" has taken place yet.

2. *It is important to set the stage to remind the students of the eighteenth-century context of the Convention.* This point covers three related problems: (i) restoring the idea that the actual past is the product of contingency and uncertainty, that it is only one of a host of possible pasts; (ii) reminding the students of the differentness of eighteenth-century politicians and society; and (iii) reminding the students of the differentness of eighteenth-century political discourse and formal debate.

As both a constitutional historian and as "George Washington," I gave the students a talk at the beginning, outlining the difficulties the new nation faced in 1787 and stressing that the future was just as much a closed book for the Framers as it is for us; the success of the Convention was not foreordained.

I also tried to get the students to think of themselves as eighteenth-century politicians, representatives of an eighteenth-century society. This task requires students to remember that women and African-Americans were not among those who could take part directly in American politics in the 1780s. This point is one of the most sensitive in the process of preparing student delegates: Some teachers will bridle at the thought that they have to train African-American or Hispanic students to portray slaveowners or to advocate the interests of slave states. However, in our experience students rise to the challenge of portraying those whose interests are in opposition to their own. In the process, they learn a great deal about the dilemmas of slavery and racism in the American republic.

Finally, it is necessary to "ride herd" on student delegates in the opening stages of the convention. "George Washington" not only has to prevent delegates from using comments that would have provoked affairs of honor in 1787 but also has to rein in anachronisms. Student delegates are prone to references to sports and other topics having no roots in and nothing to do with the 1780s. "George Washington" conveyed an air of genial puzzlement which was very effective in cutting off anachronisms.

3. *Committees are useful to the convention.* The usefulness of committees may seem a truism, but it has aspects other than the obvious ones. For one thing, when the president calls for a committee, each delegation gets to appoint its representative on the committee. This appointment process ensures that no one or two delegates in the delegation monopolize the floor time of that delegation; it permits otherwise quiet delegates to have a chance, whether because they are serving on a committee and thus have a role in making decisions for the convention or because their more vocal colleagues are serving on

a committee and they can then take part in floor debate. If each delegation has four delegates, the convention can name one, two, or even three committees and still transact its own business.

4. *Delegations' advisors should consider the role they are to play in the convention, striking a balance between activism and restraint.* For the mock convention to work at its best as an educational experience, at least one teacher should accompany each class or school delegation. These advisors can assist the president and the secretary by explaining rules to individual delegates who are having difficulty, by clarifying the effect of a vote or a motion, and (perhaps most important) by helping to chair and record the proposals of committees appointed by the convention.

It is just as important, however, for advisors to hold back a bit, to let the student delegates run their own convention. Some student delegations will notice what might seem to be undue reliance by other delegations on faculty advisors; on occasion, delegates have even asked the president to order that "unauthorized persons" be ousted from the floor during debate. If not handled with tact and firmness, these requests can wound feelings of all delegates and damage the success of the convention; it is best if no grounds are given for such motions.

5. *The president must follow the work of the convention closely, not only to keep track of the debate, but to determine the character of the convention.* The convention's character will indicate, among other things, how firm or lax a presiding officer one has to be. If the delegates persist in ignoring their colleagues during debate (as often happens when the convention has not had a break, or just before lunch), firmness is called for. If the delegates show (as they often do) an aptitude for the rules, the president can relax his or her vigilance.

6. *It continues and broadens the benefit of the exercise for the class to treat itself as the state sending the delegation to the convention.* You can involve the entire class in the process of preparing your delegates for the convention by posing the issue of the delegation's credentials and encouraging your students to debate the instructions "their" delegates will carry with them to Philadelphia.

When your delegation returns to the class, you can continue the process for an additional day if desired by turning your class into that state's ratifying convention. That way, the whole class gets to explore the issues and interests at stake in making and in ratifying a constitution. The delegates are obliged to function as representatives, explaining and defending either their support for the proposed Constitution or their refusal to sign it. The class can then debate the issues and vote to ratify or reject the Constitution drafted by the mock convention.

* * * * *

This format can be adapted to such bodies as the ratification of the Constitution or the first Congress to meet under the Constitution. A mock first Congress was organized very successfully in April of 1989 by William Everdell of St. Ann's School in Brooklyn, New York; it debated constitutional amendments and the location of the permanent capital of the United States and tried to come up with solutions to the debt crisis facing the new nation. What was especially noteworthy about the mock first Congress was that the students elected their own Speaker; the "President pro tempore" acted as a quiet and tactful advisor to the Speaker, who carried out her duties with dignity, fairness, and efficiency. Other possibilities include the Senate in 1919 debating the Treaty of Versailles and the Covenant of the League of Nations; the Senate in 1850 debating the means to conciliate North and South in the aftermath of the Mexican War; or the impeachment and trial of President Andrew Johnson or President Richard Nixon.

Although the "Mock Constitutional Conventions for High School Students" used the facilities of The New-York Historical Society, you can hold such a mock convention in a high-school auditorium. All that is required to organize and run such a mock convention or legislative session is imagination and energy on the part of one or more teachers, library resources to permit research by teachers and students, and commitment to the exercise by all involved.

The lessons of the mock conventions and other exercises modeled on them will last far longer than most classroom experiences. These exercises give students a sense that politics is something within their grasp, something that they can understand and take part in without self-consciousness, something that is legitimate and interesting in its own right. High-school students will be old enough to become voters within one to three years of their taking part in such exercises. The mock convention is a superb way to introduce them to the possibilities and limitations of politics, then and now, in order that they may be better able as voters to evaluate the successes and failings of their elected officials.

Plant A Living Legacy to the Constitution: Trees of Early New York

by

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. . . I have a situation here, which, for natural beauty may vie with the most delicious spot I ever saw. It is a mile and half distant from the city of New York. On my right hand are fields beautifully variegated with grass and grain to a great extent. Upon my left, the city opens to view, intercepted here and there, by a rising ground, and an ancient oak. The venerable oaks, and broken ground, covered with wild shrubs . . . give a natural beauty to the spot which is truly enchanting.

—Abigail Adams, 1790

When the first Europeans arrived in what was to become New York, they faced a vast wilderness of trees, the eastern phalanx of a great deciduous forest which extended almost without interruption from the Saint Lawrence River to Florida and from Long Island to Illinois. Species composition varied somewhat geographically, but the effect was the same: countless trees in the greatest temperate forest on earth.

This forest was at once boon and bane, resource and impediment. It offered virtually unlimited resources but was a seemingly insurmountable obstacle to agriculture. In less than two centuries, however, the seemingly impossible had happened throughout much of southeastern New York and neighboring states: the farmer had conquered the forest.

The great forest faced by the colonists was a climax community, where the dominant species reproduced themselves generation after generation unless interrupted by natural calamities such as hurricanes and fire. Throughout most of this vast biome, the dominant trees were shade-tolerant species such as sugar maple, red oak, chestnut, beech, basswood, black cherry, white ash, tulip poplar, and hemlock. On drier sites, such as south-facing hillsides, nut trees such as hickory and black oak would likely dominate, along with red cedar. Droughty sand barrens were rooted with pitch pine, blackjack oak, and black gum.

Along river banks and in wet areas, sycamores, red maples, and green ash were found. North-facing hillsides might have paper birch and hemlock; high, mountainous regions might be covered by pine, spruce, and hemlock, northern relics of the Ice Age, surviving on lofty peaks.

The climax deciduous forest exhibits layers of woody vegetation, with the largest, dominant trees overshadowing an understory layer of smaller trees such as the flowering dogwood, striped maple, and nannyberry. A shrub layer of berry-bushes, mountain laurel, and rhododendrons, and an herbaceous layer of spring wildflowers, ferns, and mushrooms would complete the picture.

When natural disasters such as hurricanes or forest fires struck, trees which thrive in open sunlight such as white oak, aspen, grey birch, and shagbark hickory would take hold, starting the succession process toward shade-tolerant trees once again. Sometimes, white pine formed great stands and dominated for hundreds of years before they at last were taken over by maple, beech, and hemlock.

The Native Americans who inhabited this great forest had little ecological effect upon it save, perhaps, as occasional agents of fire and clearers of farm fields.

The white settlers brought the steel ax, the plow, the cow, and other domestic animals, and a farming technology which demanded the destruction of the forest. Once laboriously cleared, the forest yielded generally fertile soils. Much of southeastern New York is hilly, with thin, glaciated soils which, and although initially fertile, often wore out within a few generations of careless farming. The sandy loams of Long Island and the deep soils of river bottoms and rolling countryside proved productive in the long term when farmed by skilled agriculturists of the European tradition. Soils derived from limestone bedrock were the most productive.

The first and most obvious use of trees was for firewood and shelter, and the deciduous hardwoods were excellent for both. Oak, maple, ash, black cherry, black locust, and birch burn hot and clean when seasoned. Even the stumps of trees cleared from fields were used by the first colonists as rude

fences. Pulled from the soil with oxen aided by levers and pulleys, they were lined up in rows around village greens and agricultural fields, their roots entangled to keep animals out.

The ready availability of wood for building changed the technology of shelter from that of Europe. Stone was used much less in New York; wood, far more. Post-and-beam construction dominated until the mid-nineteenth century, and a variety of woods were used. Interior framing called for white pine or red or white oak for the great posts and beams of barns. Red oak, maple, and other hardwoods were used for studs and interior finishing. White oak was durable for exterior unpainted posts and planks. Cedar or hemlock was used for shakes; cedar or pine boards, split or sawn, for weatherboards. Where stone was not plentiful, wood was used for fencing— cedar or black locust for posts, ash and other easily split woods for rails. Trees were the primary resource for making furniture and tools, as well as for construction. Walnut, cherry, and elm, as well as imported mahogany and rosewood, were used for veneers in fine furniture, and maple, ash, hickory, red oak, and pine for chairs, tables, and other furniture. Birch, poplar, tulip poplar, and other softer woods were used as secondary materials in fine furniture. Ash and hickory formed tool handles and a wide variety of woods shaped various implements. White pine, grown tall and straight in the virgin forest, was important for ship masts.

As rich as the native species were in utility to the colonists, European and Asiatic trees were soon brought to New York. White mulberry was imported for fruit and silk production. The apple tree, native to Asia and the Near East, came to America with the first settlers, and apples soon became an important staple. Edible cherries and pears were introduced in the seventeenth century as was the peach, which came to the New World from China. Ornamental plants such as the lilac and boxwood were imported as essential elements of civilized life. The London plane tree, a hybrid of Asian and American sycamores, was introduced as a shade tree before the American Revolution.

By the time of the signing of the Constitution in 1787, civilization had wrought great changes in the natural vegetation of New York, but the greatest portion of the Empire State remained a vast climax forest. The resistance of the Iroquois Nation to white settlement and the political policies of the Crown had stemmed the tide of western migration in New York, and it was not until the turn of the nineteenth century that many interior northern and western areas of the state began to be settled.

The nineteenth and twentieth centuries witnessed the decline of native forest in many areas of the state, but the establishment of the Adirondack Park in the late nineteenth century, and enlightened environmental legislation of the twentieth century has helped to ameliorate the effects of agriculture, industry, and urbanization. The deciduous forest biome also has wondrous elements of regeneration as is demonstrated throughout many areas where abandoned agricultural fields are being steadily reforested through the natural process of secondary succession. Old stone walls, which once encompassed farm fields, are now themselves encompassed by the forest and stand in mute testimony to this unyielding natural process. New York State is once again, at the bicentennial of the Constitution, a marvelously forested region.

Planting a Living Legacy

To mark the 200th anniversary of the United States Constitution, the New York State Bicentennial Commission sponsors the "Plant a Living Legacy" project with the U. S. Bicentennial Commission and the New York State Department of Environmental Conservation (ENCON). Not limited to trees, each "Living Legacy" planting project must honor the Constitution, serve a community need, and be located on public or private land regularly open to the public. In addition, its sponsors must demonstrate a commitment to long-term maintenance. A suggested dedication date is September 17, 1987, Constitution Day.

Here in New York State, there are many possibilities for a tree-planting program to honor the Constitution. Communities can plant trees that grow straight and tall along a specially designated block of a street or on the grounds of a public building. Such trees common 200 years ago include the London plane, American linden, white ash, oaks, and maples. Neighborhoods and individual homeowners can plant commemorative yard trees (such as black locust or American linden). For ornamental purposes, consider flowering crabapples, hawthorn, Juneberry, flowering dogwood (in southeastern New York), white birch, and evergreens. For wildlife food purposes, one can also plant crabapples, hawthorn, and Juneberry, as well as honey locust and oaks. For ideas, visit an eighteenth-century historic site and explore.

SUGGESTED READING

deCrevecoer, J. *Letters from an American Farmer*. New York: E. P.Dutton and Co., Inc., 1957.

Fernald, M. Cray's *Manual of Botany*. New York: American Book Company, 1950.

Gleason, H. *The New Britton and Brown Illustrated Flora of the Northeastern United States and Adjacent Canada*. New York: The New York Botanical Garden, 1952.

Hedrick, U. *A History of Agriculture in the State of New York*. The New York State Agriculture Society, 1933.

Hylander, C. *Wildlife Communities*. Boston: Houghton Mifflin Company, 1966.

Oosting, H. *The Study of Plant Communities*. San Francisco: W. H. Freeman and Company, 1958.

Roberts, E., and E. Rehmann. *American Plants for American Gardens*. New York: The MacMillan Company, 1929.

Stilgoe, J. *Common Landscape of America, 1580-1845*. New Haven: Yale University Press, 1982.

Wyman, D. *Trees for American Gardens*. New York: MacMillan Publishing Co., Inc., 1965.

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Teaching Guide for *The Reluctant Pillar*

by

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Synopsis

The ratification of the federal Constitution was fiercely debated in state conventions as the weaknesses of government under the Articles of Confederation became apparent. New York's convention of sixty-five elected delegates met in Poughkeepsie, New York, on June 17, 1788, to debate and decide on the proposed form of government. Eight of the required nine states had already approved the federal Constitution and conventions in New Hampshire and Virginia were also in session.

The Poughkeepsie meeting was but another step in the battle between the two political groups known as the Federalists and the Antifederalists. *The Federalist*, a series of eighty-five essays favoring this new form of government, had been widely publicized by newspapers and word-of-mouth throughout New York State. Such prominent representatives as Alexander Hamilton, Robert R. Livingston, and John Jay spoke fervently in favor of strengthening the national government for the United States. Building upon shared American values, they envisioned a federal republic with powers allocated between the states and a strong national government. The powers specifically granted to this new national government would include the regulation of interstate commerce, the collection of federal revenues, and the establishment of uniform rules of naturalization. Supported by armed forces, it would have the strength to guide a new nation. As the new government would operate under only delegated powers—with some powers specifically denied it and all others being reserved to the states and the people—Federalists felt it was unnecessary to have a national bill of rights.

The Antifederalists, who made up the rural majority represented at the Poughkeepsie convention, opposed these views. The Antifederalists agreed that a firmer, more dynamic form of government was needed, but at the same time felt that the rights of individuals and state governments needed stronger guarantees of protection from a centralized authority. Recalling problems under England's colonial system, they argued that a written constitution should include a bill of rights protecting the people from abuses of governmental power. Many New Yorkers, under the able leadership of Governor George Clinton, had prospered and wished to preserve state sovereignty and the state impost (a tax on imported goods) which had helped build a viable state economy. The news that New Hampshire and Virginia had ratified the Constitution did not end the debate as Antifederalists demanded amendments to protect individual liberties, while Federalists pressed for New York to approve the Constitution.

Finally, the delegates achieved a compromise as Melancton Smith, a leading Antifederalist, proposed union as an affirmation of faith in the new Constitution and shared American values. Differences in belief, as distinguished from values, would be solved later through the amending process outlined in the Constitution—and New York later pressed for a national Bill of Rights to be included. As beliefs changed over time, new amendments reflecting these changes have been added.

On July 26, 1788, New York ratified the United States Constitution by a vote of thirty to twenty-seven and became the eleventh pillar of the federal republic.

A mural, "Delegates at the New York Convention to Ratify the Federal Constitution," designed by Gerald Foster and installed in the U.S. Post Office at Poughkeepsie in 1938 commemorates this event and serves as the central focus for a video, *The Reluctant Pillar*, produced by James Bleecker Productions for the New York State Bicentennial Commission.

Commentary

The story of New York and its ratification of the United States Constitution is one in which the two primary coalitions of principle and interest clearly understood the structure of power. In brief, it is the story of delay, a political strategy used to gain power. A clearer understanding of New York's process of decision making may be found in the New York State Bicentennial Commission publication, *The Reluctant Pillar: New York and the Adoption of the Federal Constitution*, edited by Stephen L. Schechter. Of particular relevance is the essay by John Kaminski on the history of the ratification by New York State.

New York was a strong and prosperous state well on its way to achieving political stability under the Articles of Confederation. Many of the problems facing smaller states with less able leaders under the Articles did not apply to New York State. New York had begun to recover from the postwar depression under the leadership of Governor George Clinton. It combined a common philosophy of republican society, a successful economic policy, and a practical political power structure with strategies for building and representing constituencies. It served as a model for Antifederalist ideas and, therefore, only reluctantly ratified the Constitution.

Just as President George Washington's administration gave rise to interest groups which later became political parties seeking power in government, so too had interest groups arisen under the Clinton administration in New York. Clinton's view of a republic rested upon the idea of popular consent of the governed and subscribed to the "mirror" theory of representation. New York removed property qualifications in voting for members of the ratifying convention. This alteration reflected Clinton's approach to a "mirror" theory of representation—that popularly elected representatives should reflect the tastes, class, and interests of their electorate. The result was a large Antifederalist majority at the convention meeting at the Dutchess County Courthouse in June 1788. Clinton, himself, had risen to political office as a modest, anti-Loyalist soldier/lawyer/farmer, and symbolized American social mobility.

Clinton's election as governor in 1777 meant defeat for aristocratic Philip Schuyler, a representative of the state's "old guard" conservative, manorial families. Fearful of unchecked majority demands, this group advocated a "trusteeship" theory of government. They believed that the people could be best represented by those who were best-trained in government, most educated, often of the upper class and removed from local self-interest. Alexander Hamilton, son-in-law of

Philip Schuyler, emerged as their spokesman and, indeed, as the only New York delegate to sign the new Constitution at the Philadelphia Convention. Hamilton argued eloquently in those secret sessions intended to reform the Articles but which, in fact, resulted in an entirely new form of government.

As arguments emerged over whether or not the new national government, itself, posed a threat to liberty, the Federalists built support for their position in New York State. *The Federalist* emerged as the definitive (although not the most influential) commentary in favor of the Constitution; these newspaper essays were widely circulated in urban areas to attract the more literate upper classes. New York's impost, a tax on goods imported into New York, had contributed an important source of revenue and had helped provide economic stability for the state. Farmers favored the impost as it fell mostly upon the merchant classes and therefore reduced the burden on real property. Farmers also supported Clinton's issuance of paper money. While this act transformed New York from a debtor state into one of the wealthiest creditor states in the Union, it aided distressed debtors by inflating the currency. These threats to the economic well-being of merchants and wealthier members of New York society helped Hamilton, Jay, and their colleagues build support for the Federalist position and the adoption of a new form of government.

New York's reluctance to ratify the Constitution was, in part, due to the fact that both Federalists and Antifederalists followed a strategy of delay to solidify strength, late elections, and a late convention in hope of gaining more support for their position. As Federalists expected New York's ratification of the Constitution to be an uphill struggle at best, they concentrated their efforts in other states and utilized those approvals to force New York to join the Union. Antifederalists also stood to gain by this delay. Diversity of opinions and interests required time to organize. Antifederalists also hoped to organize an interstate movement for a second constitutional convention.

On July 26, 1788, New York ratified the Constitution, not because it wanted to, but because it had to. As finally admitted by Melancton Smith, a leading Antifederalist, New York could only continue to maintain political stability as part of the Union. The eventual adoption of the U.S. Bill of Rights, a central aim of the Antifederalists, indicates that the Antifederalists still understood the structure of power.

Goals

Master the Content The student will be able to:

- Identify major arguments or points of view associated with representative groups involved in ratifying the federal Constitution
- Discuss the causes and effects involved in each of the political philosophies of Federalists and Antifederalists
- Describe the distribution of powers for the individual, the states, and the general government under the Articles of Confederation and the Constitution
- Summarize the problems faced by the delegates to the ratifying convention and the main compromises that were reached
- Recognize the importance of safeguards or protection of state and individual rights involved in our system of government
- Identify forces and conditions that both reinforce and jeopardize New York State's political stability in 1788
- Gain a clearer understanding of the relationship between the Constitution and the political process

Acquire Skills The student will be able to:

- Identify points of view; clarify values
- Classify ideas and information
- Relate causes to effects
- Make comparisons; form generalizations
- Make inferences; formulate hypotheses
- Analyze evidence (visual and written)
- Evaluate information (written, oral, and pictorial)

Teaching Strategies

Central Focus Question: Why did New York State debate ratifying the Constitution?

Classify Ideas and Information

Write the headings "Federalists" and "Antifederalists" on the board. Ask students to identify main arguments of each group represented at the Poughkeepsie Convention. From the film, *The Reluctant Pillar*, they should be able to state the following for the Federalists: (a) strong national government (b) centralized authority; and for the Antifederalists: (a) strong state government (b) protection of individual rights. Point out that these arguments or points of view arose over the adoption of the Constitution. As these two groups later became part of the new government, they develop into political parties and begin to formulate positions on specific issues confronting the new nation.

Relate Causes to Effects

1. The film mentions that war debts and economic depression had revealed the inadequacies of the Articles of Confederation. Some additional information about the Articles should be distributed at this point so that students can relate the problems of the times to the proposed solutions of the Federalists.

On the chalkboard, write the following groupings with some specific examples of problems confronting the states under the Articles:

(a) Economic problems: unpaid war debts, payments to dispossessed Loyalists, lack of hard money or gold and silver, British trade boycotts, etc.

(b) Political and institutional problems: no money for the general government, two-thirds vote for the passage of laws, unanimous consent for amendments

(c) Social problems: debtor discontent, Shays's Rebellion, reliance upon state militia for enforcement, etc.

(d) Foreign relations: the inability of the general government to deal with the British over the Northwest, to solve the dispute with Spain over the right-of-deposit on the Mississippi, and the attacks upon American shipping by the Barbary Coast pirates

Ask students to explain why each of these conditions made it difficult for the newly independent nation to achieve political stability. Discussion might focus as well on the reasons for the inexperience of many state political leaders and the differing successes of various states in solving these problems for themselves.

2. Antifederalist arguments centered on the fear of giving too much power to the general government and the possibility that such a government might abuse this power, as had the English monarchy during the colonial period. Some concerns expressed in the film are the fair representation of the people, the power to tax, and the presence of a standing army. The traditional "rights of Englishmen" to due process, rights of the accused, protection from search and seizure, as well as American beliefs in the freedoms of religion, speech, and press needed specific guarantees in light of the colonial experience. Just as England had failed to understand some of the colonies' peculiar problems, so did the Antifederalists fear that a central government might ignore a particular state's difficulties. State governments were seen as more responsive to the people's needs. To the Antifederalists, these protections of individuals and states needed to be listed as a national bill of rights to any written constitution.

Additional Teaching Strategies

Analyzing Visual Evidence

In representational art, the artist portrays nature, people, or life. Impressionism is a style in which the artist's interpretations are more important than a literal documentation of the subject, while realism stresses the faithful representation of the subject. Compare a popular rendition by Howard Chandler Christy of the signing of the U.S. Constitution (available from the U.S. Bicentennial Commission, 734 Jackson Place NW, Washington, D.C. 20503, with the painting by Gerald Foster, the basis for *The Reluctant Pillar* (slides included with this packet).

1. Which style of representational art does each painting seem to follow?
2. What is the central focus of each painting?
3. Why do you think the paintings differ in focus? (What might the artist be trying to stress?)
4. How do the backgrounds differ?
5. List some of the differences between the men represented in each painting.
6. What might account for some of these differences?
7. Gerald Foster painted the mural of "Delegates at the New York Convention to Ratify the Federal Constitution" in 1938. Howard Chandler Christy painted his painting in 1937. How might this time period be reflected in these paintings?

Identify Values: At this point, please consult Handout No. 1, which discusses the distinction between values and beliefs.

Identify Points of View, etc.: At this point, please consult Handout No. 2, illustrating the distinction between facts and opinions.

Conduct a Debate

Arguments relating to how much power the federal government should have may have begun with the ratification of the Constitution, but continue today. There are many contemporary issues such as the 55-mile-an-hour speed limit and busing to achieve school integration, which relate to this debate. Students should select one of the points of view expressed in the Poughkeepsie convention and defend it with evidence both from the past and present. In informal debating, the presentation of arguments and rebuttals, as well as standard time limits, should prevail. (Portions of the Poughkeepsie Convention proceedings are available in Jonathan Elliot, ed., *Debates in the Several State Conventions on the Adoption of the Federal Constitution...*, Second Edition, Philadelphia: J.B. Lippincott Company, 1836, Vol. II, pp. 401, 404).

Write an Essay

Give students a proper essay format as follows: begin with a topic (thesis) statement expressing a generalization or a conclusion you have reached. The topic statement contains the point you wish to make and begins your introduction. The body of the essay contains the information and evidence to support your generalization. It may also include your reasons for claiming that your conclusion is better than the conclusions of others on the same topic. It may also include specific examples or applications of your reasoning. Your conclusion should summarize the main points of your essay without introducing any new information. A good starting point may be student responses to selected quotes about the importance of the Constitution. (See Handout No. 3)

Evaluate and Write Information

Producing a newspaper is an excellent class activity particularly well-suited for team learning. A commercial computer program known as *The Newsroom* by Springboard is easily adapted to such an activity as it allows different members of the teams to become a "mini-computer expert" in the form of putting the paper together, provides a multitude of grapnics to encourage creativity, and produces an attractive newspaper. Such an assignment might begin with general instructions to the class or even subdivisions of competing papers.

Imagine you are working on *The Poughkeepsie Journal* during June 1788. The newspaper has some writers who are sympathetic to the ratification of the Constitution (Federalists) and some who oppose ratification (Antifederalists). You have a choice of several formats—editorials which express and defend a point of view, political cartoons containing an element of humor, feature stories which contain background information or items of human interest, and news stories which give basic factual information.

A news story is divided into three parts. The *headline* should be brief and designed to catch the reader's attention. The second part of a news story is the *lead* or first paragraph. The lead should answer most or all of the following questions: who? what? where? when? how? why? The third part of a news story is the *body*, and these paragraphs provide the necessary details and explanations of the information given in the lead. (See Handout No. 4)

Do Library Research, Role-Playing

Have students role-play Federalists and Antifederalists discussing the new Constitution. Students should research some of the following participants in the New York State ratifying convention at Poughkeepsie: Governor George Clinton, Melancton Smith, and John Lansing, Jr., for the Antifederalists; and John Jay, Alexander Hamilton, and Robert R. Livingston for the Federalists. While these may be the easiest to research from available sources, more names may be found in the New York State Bicentennial Commission publication,

The Reluctant Pillar, edited by Stephen L. Schechter. Students should know the individual's point of view, a brief history of his political career, any specific actions at the convention by the individual, and at least one direct quote regarding the individual's position on the federal Constitution. A specific focus should be given the debate, preferably one which would compare and contrast the historical perspective of the times with that of today, and hopefully one which encourages students to participate actively in trying to reach a compromise.

Some examples of such a focus might be:

(a) Slavery should have been outlawed in the Constitution.

(b) Liberty is more truly defined in the Constitution than in the Declaration of Independence.

(c) Important government decisions should not be made in secret.

Make Comparisons: Form Generalizations

1. Have students diagram the choices of government facing the Poughkeepsie convention and how each distributes its powers. A direct democracy would show each person voting on the laws and deciding what government should do. A monarchy or a unitary system would show the central government holding most of the power. In the case of England's monarchy, some specific protection of individual rights might be included either through traditional common law or through historic documents such as the Magna Carta, the Petition of Right, etc. Under the Articles, a confederated republic was established. Thirteen independent states were linked together for joint action in dealing with common problems. Congress was the sole authorized agency of government—there was no formal executive branch and the judiciary was left exclusively to the states. The Articles supposedly gave the general government powers over the individual states, but the Confederation found its decisions virtually unenforceable, because it lacked actual power to compel state governments or to operate on individual citizens. Under the Constitution, a federal republic was established, which divided *sovereignty*, or ultimate political power, between the general government and the states. The general government could compel individual citizens to obey its laws. Its constitutional grants of power were limited, however, as one way to prevent the general government from becoming a tyranny; the Constitution also created a full system of legislative, executive, and judicial branches of government, each branch having the power to check, or restrain, the other two branches.

2. After the class has completed the diagrams, have students speculate as to which type of government might best solve problems faced by the new nation and which might best represent the people. It should be pointed out that many Federalist and some Antifederalist leaders feared a democracy. Americans of the 1780s had little education, and many leaders thought that the people did not know how to make wise decisions. Only in the House of Representatives were "qualified" citizens chosen by direct vote; the president was chosen through the electoral college, senators chosen indirectly through state legislatures, and Supreme Court justices appointed for life. Even ratification of this new government was official only when two-thirds of the states (nine out of thirteen) registered approval.

3. Referring to the central focus question, have students discuss on what points the Federalists and the Antifederalists agreed (republic or representative democracy, necessity for firmer government, protection against abuses of power, etc.)

On which points did the two disagree (need for a national bill of rights, representation of the people, limits on executive and judicial power, expression of local interests, etc.)?

4. On the basis of these comparisons (and contrasts), ask students to make generalizations about the role of New York State in ratifying the Constitution.

Make Inferences

1. As seen in the film, *The Reluctant Pillar*, the ratification of the Constitution in New York State was a political process in which two views of national government were identified, compared, contrasted, and eventually reconciled through compromise. To examine this process further, write the term "political stability" on the board. Ask students: what factors contribute to political stability in a newly independent country (strong economies, markets for trade, able leaders, involved citizens, commonly held values, military protection, etc.)? In the absence of strong government, countries may be threatened by factionalism or the splitting up of power among rival groups organized according to special interests. Factionalism can lead to civil war.

2. New York removed property qualifications and permitted adult manhood-suffrage for members of the ratifying convention. As a result, there was a large Antifederalist majority represented at Poughkeepsie. Ask students what interest groups might support an Antifederalist faction, (farmers, rural areas, etc.), and where Federalists would gain their support (urban areas, upper classes, etc.). Explain that New York State had many of the elements already present for political stability (an able leader in Governor George Clinton; markets for trade; strong economies; paper money; a tax on goods imported into New York State; involved citizens). How did a rival group (the Federalists) hope to gain power? What did state political groups stand to lose? Why was the debate so lengthy and the vote for ratification so close in New York State?

3. New York ratified the Constitution after Virginia, the biggest and most populous state, joined the Union. The compromise proposal for ratification was made by Melancton Smith, a leading Antifederalist. What would have been some of the disadvantages of not ratifying? What measures were taken to end factionalism in New York State?

Form Hypotheses

1. Have students discuss what roles each of the following might have played in New York State's ratification of the Constitution:

(a) The media—newspapers and pamphlets of the times

(b) The personalities of the men involved—Governor George Clinton, Alexander Hamilton, John Jay, Melancton Smith

(c) The formation of political parties

(d) The geographic features and position of the state

2. Ask them to speculate on what New York State might be like today if it had not ratified the Constitution.

Handout No. 1

Identify Values

All societies have beliefs and values which are standards of how people should think and feel. Values may be defined as ideas about what is good, bad, right, wrong, just, or unjust. Beliefs are ideas about reality or about what is true or not true. They represent ideas or opinions about what has happened in the past or what will happen in the future. While delegates to the New York State Ratification Convention expressed many different beliefs as to the role government under the Constitution should play, they also reaffirmed some basic American values which they all agreed upon. Distribute the following list and have students identify which are value statements and which are statements of belief.

1. The people should be represented in government.
2. All Americans share the same interests.
3. People should have the freedom to express their opinions.
4. Individual rights must be protected from government as well as by government.
5. Americans are different from Europeans.
6. A firm, energetic government is important for a nation's progress.
7. Local government is more responsive to a people's needs.
8. Protest against government should take place within the law.
9. The people have a right to change governments.
10. Abuses of power are best prevented by dividing and balancing branches of government.

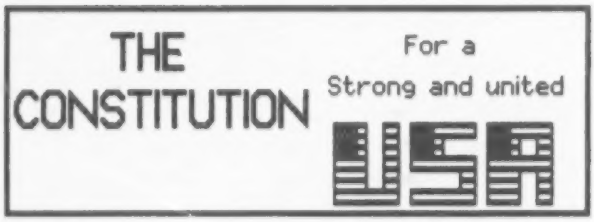
(Statements 1, 3, 5, 6, 9 are value statements)

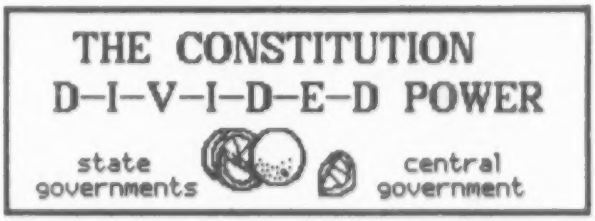
People tend to think their values and beliefs are generally shared. Many of our most basic values are not universal, and examples of other cultures' alternatives to American values should be offered. For example, the freedom to express opinions differs between America and Russia, while change is not valued in many non-Western societies.

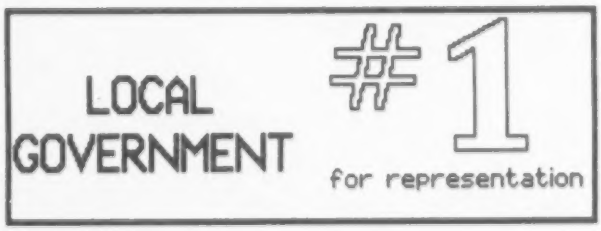
Beliefs have been debated both within a culture as well as between cultures. Students should be able to give examples of how Americans have felt about protest against the government at different times.

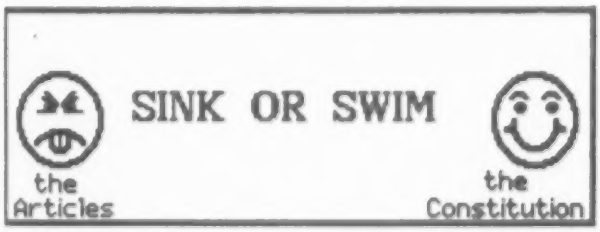
Handout No. 2

Bumper stickers are a common form of expressing opinions today in the United States. Wouldn't it have been interesting to have had "buggy stickers" in 1787? Below are some sample "buggy stickers" for and against the Constitution. Indicate which would probably have been made by a Federalist and which by an Antifederalist?









Of these six stickers, two state fact; the other four, opinions. Which two state fact?

Handout No. 3

Interpreting the Importance of the Constitution

On a separate piece of paper, write your reactions to each of the following quotations. Which do you agree with? Which do you disagree with? Explain your answers.

1. ". . . all we hear here is a Constitution talk: as for my part I trouble my head but very little about: relying that like all other evils it will work its own Cure—tho I could wish it be adopted as in my Juvenile opinion with a few alterations it to be a very good one & without and alterant. better than none. sensible that something of the kind must [be] done without which this is a ruinous Country & nation & every Citizen must naturally see & feel it: if not remedied at this time at this very Junctive (we have no time to delay) it must be adopted or we will sink beneath the gripe of remedy."

   —Peter Ten Broeck, Upper Livingston Manor, 1788

2. "In this Constitution, Sir, we have departed widely from the principles and political faith of '76, when the spirit of liberty ran high and danger put a curb on ambition. Here we find no security for the rights of individuals, no security for the existence of our state governments; here is no bill of rights, no proper restriction of power; our lives, our property and our consciences are left wholly at the mercy of the legislature . . . ."

   —Judge Thomas Tredwell, a Suffolk County Antifederalist delegate to the NYS Ratification Convention of 1788

3. "Certainly a system of government which contains such obvious defects as to require immediate correction is unworthy of adoption of a free and enlightened people."

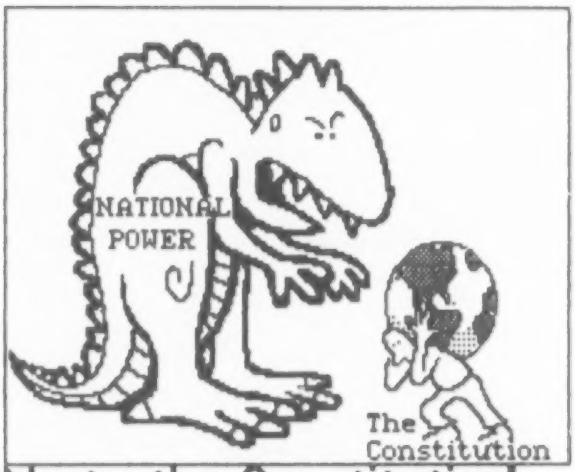
   —*Poughkeepsie Country Journal*, April 15, 1788

4. ". . . a firm union is as necessary to perpetuate our liberties, as it is to make us respectable; and experience will probably prove, that the national government will be as natural a guardian of our freedom as the state legislatures themselves."

   —Alexander Hamilton, June 21, 1788

Handout No. 4

THE VOICE OF THE PEOPLE

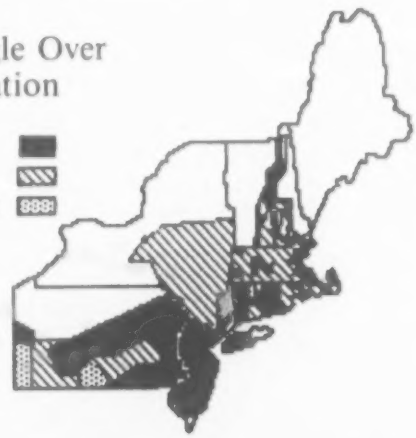


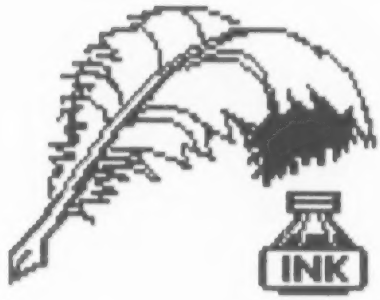
No to the Constitution!

We did not fight the American Revolution to exchange one tyrant for another. Just as King George III levied unjust taxes without proper representation of the people, so will this new government in the District of Columbia. Taxes are needed to support armies, and we have no need of a standing army—unless this new government intends to fire upon American citizens who don't pay their taxes. We currently pay taxes to the states. They have the power to raise a militia in case of attack, so why do we need to pay more taxes for more armies? The state at least represents the people's interests.

The Struggle Over Ratification

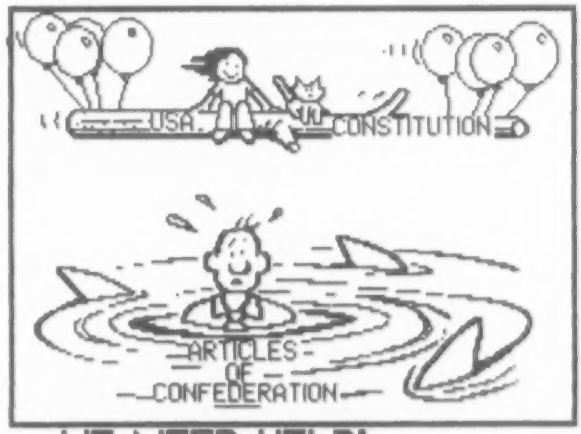
Federalist
Antifederalist
Evenly Divided





POUGHKEEPSIE POW–WOW

On June 17, 1788, sixty-one of the sixty-five delegates opened the New York Convention to ratify the new proposed Constitution for a United States. Governor George Clinton was unanimously elected president, and since many of the delegates are interested state officeholders, it should be a short convention. Even though eight other states have ratified the new Constitution, the people of New York appear to be solidly Antifederalist and opposed to any change in government at this time. The current state government has made New York one of the wealthiest in the Union.



WE NEED HELP!

Our ships are being taken prisoner on the Meriterranean Sea, Indians threaten our forts in the Northwest, Spain turns back our trading boats on the Mississippi; where do we turn for protection? The states were supposed to raise militias to protect our interests, but private citizens had to help fund soldiers needed to restore law and order in Massachusetts. When angry farmers under the leadership of Daniel Shays can terrorize the law-abiding people of an entire state, it is time to remember what governments are supposed to do—protect the well-being of their citizens, and we need a new government!

AN ANGRY MERCHANT

The United States Constitution and the State's Social Studies Program

Social Studies Grade 7/8 and Grade 11 Curriculum Have New Constitutional Units

The grade 7/8 United States and New York History course and the grade 11 United States History and Government emphasize teaching the Constitution. To help teachers prepare for these courses and other constitutional activities, partial outlines are reproduced below.

The United States Constitution provides the framework around which the entire governmental structure and history of our country is based. It is the key to understanding the similarities and differences between governmental operations of the United States and its national character and other nations across the globe. As the Founding Fathers thought about the appropriateness of such a document and what form it should eventually take, they held clearly in mind a future they would not share. In that sense, they were imprinting future generations with the key notions of stability and flexibility. The fact that our Constitution has withstood the pressures of time and encompassed the forces of new (and sometimes radical) ideas attests to their foresight and perspicacity.

The purpose of including instruction about the Constitution in the social studies program of the State of New York is to provide students not only with an understanding of their national heritage, but to ground them in the practical ways in which people can interact with their government at every level. If democracy is to mean anything, it certainly should provide the greatest potential for getting people involved in their own destiny. In order for that to happen, the people must know the roots of their governmental system. In the seventh and eighth grades, the purpose is to build on former learning, but to fix on (to the greatest degree possible) the structural and functional aspects of our local, state, and national governmental system. In the eleventh grade, the purpose is to build on that base and give students an opportunity to explore basic issues and controversial points which are contained in the constitutional system of our nation as they are reflected in the grand sweep of the historical record.

The United States and New York State History (Grades 7/8)

A. Objectives:

Among the major goals of the Grade 7/8 United States and New York State History course is classroom instruction that will enable students to describe and analyze major historic factors in the development of the political system of the United States by providing the appropriate content, concept, and skill base. Additionally, instruction should provide students with a knowledge and skill base that will allow them to value and appreciate the principles and ideals of a democratic system based on the premise of human dignity, justice, and equality.

The course prescribes a chronological study of the political, economic, and social conditions that prevailed prior to the American Revolution and which acted as impetus for the establishment of a new government, the evolution of the Constitution as the framework for the representative democracy which resulted, and the institutionalization of the Constitution as the supreme law of the land.

B. Syllabus Outline

The Grade 7/8 social studies syllabus for United States and New York State History focuses on a study of the Constitution and the Bill of Rights in several places. Specifically, Unit Four, "Experiments in Government," traces the evolution of the Constitution and the Bill of Rights from the Articles of Confederation through the process of ratification. The topics covered in the unit are:

I. The Articles of Confederation and The Critical Period
   a. Need for a Formal Plan of Union

b. Development of a Formal Plan of Government
c. The Structure of Government Under the Articles of Confederation
d. The Articles Suffered From Many Weaknesses
e. The Articles Did Have Several Achievements and Contributions

II. The New York State Constitution of 1777
a. Adopted by Convention Without Submission to Popular Vote
b. Chronology of the Document
c. Form of Early State Government
d. Effectiveness

III. The Writing, Structure and Adoption of the United States Constitution
a. Annapolis Convention, 1786
b. Constitutional Convention: Setting and Composition
c. Major Issues
d. The Need for Compromise
e. The Underlying Legal and Political Principles of the Constitution
f. The Constitution and the Functioning of the Federal Government
g. The Constitution as a Living Document
h. The Evolution of an "Unwritten Constitution"
i. The Ratification Process

Unit Twelve: "Citizenship in Today's World," develops underlying constitutional principles and civil rights themes using relevant and significant historic examples and fundamental Supreme Court cases and rulings. The concept of citizenship is used as an organizer. The ideas are presented as:

I. Citizenship in the United States
a. Underlying Principles of the Constitution of the United States: How They Operate
b. Legal Bases for Citizenship in the United States
c. Responsibility of Citizenship

II. Citizenship in State and Local Government
a. New York State
b. Local Government

III. Comparative Citizenship
a. Our Relation to Citizens in (1) Canada (2) Mexico
b. Global Citizenship

In addition to these two specific units, a study of the Constitution and the Bill of Rights, using the events of United States and New York State history and government is integrated throughout the course.

C. Suggested Activities

In order to achieve both the broader course and unit goals as well as the specific unit objectives, the syllabus document presents teachers with model activities aimed at this end. Several of the activities related to the Constitution and the Bill of Rights are highlighted below:

1. Through role-playing, students could get an awareness of what running a government would be like without clear-cut executive and judicial authority. Current national or international concerns could be used as case studies, with students attempting to cope with the concerns as if the Articles of Confederation were governing the United States today.

2. Students could reenact the great debates that took place during the Constitutional Convention. There should be careful researching of the debates and meaningful simulations, rather than just mouthing the phrases. This activity should not be formal team debating, but should occur in an assembly-like setting, similar to that of the original convention.

3. Students should examine examples from the history of the United States which show the changing nature of the four principles underlying the Constitution. Some illustrative examples might be:

- Strong versus weak federal government: The Hamilton-Jefferson Debates
- The right of judicial review: *Marbury v. Madison* (1803)
- The right to an equal education: *Brown* v. *Board of Education* at Topeka (1954)
- Women's Suffrage: The 19th Amendment (1920)

Constitutional Issues A Major Feature of the New 11th Grade Curriculum

A. Relevance

The application of basic principles to the historical development of the United States must concern itself with not only knowing information about the Constitution and the historical record, but also the relationships and connections between and among those principles as applied at various times in our history and under varying circumstances. In order to carry out that thread, the grade 11 program utilizes the "Thirteen Enduring Constitutional Issues" rubric established by Project '87 (a cooperative project of the American Historical Association and that of the American Political Science Association) in commemoration of the Bicentennial of the Constitution. At appropriate places in the syllabus outline, one or another of the constitutional issues is cued to the content under discussion. At that point, it would be anticipated that the teacher would clearly have students understand the particular application of that issue to that period or event, but also to have them make the relationship to previous encounters with that issue, and to project that issue into the future in a limited manner. The "Thirteen Enduring Issues" are as follows:

- National Power: limits and potential
- Federalism: the balance between nation and state
- The Judiciary: interpreter of the Constitution or shaper of public policy
- Civil Liberties: the balance between government and the individual
- Criminal Penalties: rights of the accused and protection of the community
- Equality: its definition as a constitutional value
- The rights of women under the Constitution
- The rights of ethnic and racial groups under the Constitution
- Presidential power in wartime and in foreign affairs
- The separation of powers and the capacity to govern

- Avenues of representation
- Property rights and economic policy
- Constitutional change and flexibility

Printed below is the new outline for the Grade 11 program. Teachers may want to use this to prepare for the first weeks of their instruction.

B. Syllabus Outline: United States History and Government

Unit I: Constitutional Foundations for the United States Democratic Republic

I. The Constitution: The Bulwark of American Society
   a. Foundations (Enlightenment thought; Native American contribution; colonial experience; revolution and Declaration of Independence)
   b. Constitutional Convention (calling, representation, operation, document, ratification process)
   c. The Bill of Rights
   d. Basic Constitutional Principles: "Thirteen Enduring Issues"
   e. Basic Structure and Function of Government: federal/state/local/comparative
   f. Implementing the new Constitution (establishment of precedents; constitutional issues, 1800–1824)

II. The Constitution Tested
   a. Constitutional Stress and Crisis: (developing sectionalism; equality and justice; expansion of franchise; removal of Native Americans; constitutional debates: states' rights v. federal supremacy; legal-moral arguments regarding slavery; preservation of Union)
   b. The Constitution in Jeopardy: The Civil War (the divided society; wartime Constitution; restoration and reconstruction)

C. Suggested Activities:

1. In developing the rules and regulations for any organization, certain considerations must be incorporated. Some of these questions might be appropriate:
   - Who are the people involved? (membership)
   - Why are these people bonding themselves to each other?
   - What are the ultimate outcomes expected or anticipated?
   - What structure will best suit the needs of the members?
   - How rigid should the structure be in meeting those needs?
   - Who shall administer the organization, and how much power should that individual or group have?
   - What kinds of control will the membership have over the officers?
   - How shall the organization be financed?

By referring to a specific organization or club, have students examine these questions (and others) which all deal with the nature of the constitution-building process. By relating these questions to the students' own experience, the larger constitutional principles and structure may become easier to understand. Once the students have accomplished this model, direct analogical connections can be made to the actual Constitution-building that occurred in 1787.

2. Who are the people who decided to make a Constitution in 1787? What were their backgrounds? What kind of political philosophy did the majority of them believe in? What experiences under colonial rule did these men have? Why did the vast majority agree to a Constitution of the type that emerged? People such as the Founding Fathers do not act for "light and transient" reasons when their lives and fortunes are at stake. Consider the economic and political implications of these men's actions.

3. Review the basic principles contained in the Declaration of Independence, and compare and contrast constitutional principles to those earlier principles. How congruent are they? Were the Founders true to their stated purposes of a decade earlier?

This Proposed Constitution

A Debate of the Times April 1788

Prepared by

RACHEL BLIVEN

The following is a staged reading to dramatize the many debates among Americans in the months between the drafting of the new United States Constitution in Philadelphia and the final vote in state conventions to ratify the proposed document and the system of government which it outlined. New York State was the home of some of the nation's most outspoken proponents of the Constitution—Alexander Hamilton and John Jay—and yet, a large percentage of the state's inhabitants, including Governor George Clinton, were known to be against its ratification. In late October of 1787, New York newspapers began to run a series of essays putting forth the arguments in favor of the new government. Signed with the pseudonym "Publius," the eighty-five essays—now known as The Federalist *papers—were a stunning summary of the principles behind the Constitution and a highly persuasive argument. The decision in New York State was ultimately a personal one, however, and throughout the fall and into the summer of 1788, New Yorkers tried to define for themselves the best system of government for their new nation.*

* * * * *

Narrator: Welcome to 1788. A new constitution has been proposed for our nation, and all the countryside is talking about it. Everyone has been reading the latest newspapers, broadsides, and pamphlets, and everyone has an opinion. Take these two gentlemen, for example. They're good friends, but they're worlds apart when it comes to running this country.

Robert Harrison (he's the one on the right, with a bit of a belly)—now he's a middling sort of merchant down in the city, not too poor, mind you, but he's got lots of plans for doing better. He does a lot of trading with the farmers upstate. Wheat's the big thing, and his sloops are shipping the stuff all over the place—the southern states, the Dutch and French islands of the West Indies—I've even heard him talk about sending a boat out to take advantage of some of this China trade. As I said, he has some big plans. Things are looking pretty good for him now that the war is over; things are settling down here in New York State because of Governor George Clinton's postwar recovery program.

The other gentleman—with the earnest look—is John Van Alstyne. He's another good man, our John. He came to New York as a tenant farmer and worked for years on a manor in Columbia County, raising a family and saving bit by bit. He owns a pretty big spread upriver now in Ulster County, most of it bought at auction after the war—confiscated Loyalist lands, you know. Whatever he's gotten, he's had to work hard for it. You'd be hard put to find a more patriotic man. His brother was killed in the fighting up at Saratoga, and John still has a few scars and frostbitten toes to remind him of those days. He trades a lot with Robert--has done so since before the war—and the two of them love to argue about all the big issues of the day. And these days, that means the new Constitution.

* * *

Robert: Surely you can't be serious. The new Constitution offers by far the best advantages for the nation. Just look at our trading now, every state competing against each other and the British have kept us out of our traditional markets in the West Indies. If we could bargain with one voice, we could make them pay *our* prices for a change. Not only would we all be prospering, but we could stand up for ourselves, be reckoned with as an equal power. We have the resources if only we can use them for a common end.

John: That's all very well and good, but I think this new Constitution goes too far. It's a consolidation of power, not a confederation of states. The central government is just too strong. You know what Brutus said in one of his essays in the *Journal:* you can't take back power once you've given it away. This business of the new government's laws being "supreme in the land"—where does that leave the states? It's too close to what we just got rid of.

Robert: But you've got to give power! Just look at the alternative—look at what we have now! The Confederation was defective; it's dead! Look at what happened in the war. Much of the fighting was in New York—and so were many of the expenses. Southern New York was occupied during the war. Now every state was supposed to contribute men and money to help the cause, but you know New York wound up holding most of the bills! Moreover, the British are still in Oswego and Niagara! The nation has got to have a way of raising funds for a common defense.

John: Yes, but this Constitution sets no limits on how much they can raise, only what the legislature feels is "necessary and proper." Well, they may think it's necessary to take everything I've got. Is that fair? And another thing—the new government will take over all the import duties, so the states can raise money for their operations only by direct taxes on land—and the federal government has first chance at that, as well! There won't be any money left at all for the states, and I'm going to be left just as poor as when I was a tenant.

Robert: Come now, it won't be as bad as that. The men in Congress will be men like you and me, and they'll be paying those taxes, too! As representatives of the whole nation,

they'll work for the good of all the states, not just the one they live in.

John: I'm not so sure of that, friend. This country is too big and too different for the Congress to know what's best for me. How are they going to have time to travel all the way from New Hampshire to Georgia to find out what everyone's needs are? Don't forget what Brutus says. There are going to be only sixty-five members of the U.S. House of Representatives. We have more representatives in our own state assembly. How will these sixty-five men be able to represent all segments of American society? Who will represent us farmers?

Robert: But that's the beauty of this proposed system! Haven't you been reading the essays from Publius? He makes it all so clear! The new Constitution is just like all of the state constitutions in that the power is derived from the people. And in the distribution of that power, the proposed Constitution is a composition of both state and federal government. The new Senate will have equal numbers of senators from every state, so each state has a way to be heard; and the House of Representatives will have representatives in proportion to the number of citizens, so that they can be close to the people who elect them. The number of representatives will increase as the population grows. Then the executive will be decided by a mixture of both state and federal forms of government. So on all levels, the voice of the people can be heard.

John: But the interests of the people are too diverse; they'll always be clashing with each other, and the business of government will be very slow. Look at the states down south—like Georgia—they have different climates, different economies, different values; it's a whole different world down there. How are they ever going to agree with us? What do we have in common with them?

Robert: What do New Yorkers have in common? We're a diverse lot, and yet we get on well enough among ourselves. Probably there always will be factions in the government, but that should be considered a strength. No single group ever will be strong enough to impose its will on the minority, and when groups form coalitions, as they will do, the only grounds on which they can successfully agree to come together will have to be for the causes of justice and the general good.

John: The strongest ties among men will always be first to their families and home, then to their neighborhood and their state, and only lastly to the broadest area, the nation. Once the representatives in Congress leave their community, they're lost, and they'll end up representing their own interests and pursuing their own ambition.

Robert: Why did we fight the war? Did your brother die for New York or for the liberty and property of Americans? Of course, our families will always come first in our hearts, and all those things which are familiar to us. And the state governments will never be lost. The proposed Constitution gives sovereignty to the nation only in very specific areas. The rest of the powers are all reserved to the states and the people. The national government has principal charge over external affairs, such as defense, foreign affairs, and commerce (as is right for it), while the states continue to control all the concerns of the ordinary course of affairs for people within their state.

They each have separate roles. If anything, the state governments are doubly secured, for the national government cannot exist without the states, and the power given by the people is distinctly divided between the two governments. Each controls the other, and each controls itself.

John: I still worry, though. We give up a number of our natural rights to the government for our protection, and that can work most well when the government is as good and honorable as people can be. Yet what if a despot gets into power or a Daniel Shays takes over the nation? What then? Where is it written that I still have the rights we just took back from the English? Our state constitution doesn't have a bill of rights; if I am to give my support to this new Constitution, I must be sure that my rights are guaranteed.

Robert: Didn't Publius say, "If men were angels, no government would be necessary?" This Constitution gives the new government only those powers it ought to have—only those powers which are specifically mentioned; the rest are all reserved to the states and the people. Look at the first words! "We the people . . . do ordain and establish this Constitution for the United States of America." We're the ones who wrote it. We give these powers to the government, and we elect the people to administer it. Why would we give away our liberty? Of course our rights are secure!

John: Well, maybe I'm just more suspicious of men. I think this constitution still needs a little work, and I don't like being rushed into voting on something that just isn't right yet. I hope all that you're saying is true, but I think I'm still going to go along with the governor on this one and wait to ratify when it's got everything included, especially that bill of rights. I don't want to be fighting another war in a couple of years to undo the mistakes in this constitution.

* * *

Narrator: John was not the only New Yorker who worried about the new government proposed in Philadelphia. The delegates elected to the New York Ratifying Convention in the spring of 1788 were opposed to the new constitution by more than two to one. And yet, as the convention progressed, the arguments of the Federalists and the course of events outside New York State began to sway the balance.

On June 21, New Hampshire became the ninth state to approve the new system of federal government, and it could officially begin to operate. Four days later, Virginia voted in favor of ratification, leaving no doubt that the proposed form of government would soon be a reality. New York could no longer stay out of the Union. On July 26, 1788, the state convention voted to ratify unconditionally the new constitution by a vote of thirty to twenty-seven—a margin of only three votes.

The closeness of the vote reflected the widespread concern of New Yorkers for the protection of individual rights. They soon joined like-minded citizens throughout the country, and within the next three years, they made sure that a federal bill of rights was secured.

As Robert so correctly pointed out, the Constitution is derived from the people, and over the last two hundred years, we have continued to adapt that document and the system of government which it represents to suit the needs of a changing nation. It isn't perfect—it never will be—but as long as we can continue to be involved with it, to use it as a guide, and to follow it in the spirit of its makers, we shall always have a nation of the people, by the people and truly for the people.

New York State Commission on the Bicentennial of the United States Constitution

Annual Report July 1, 1987

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of the United States Constitution

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New York State Commission on the Bicentennial of the United States Constitution

Annual Report—July 1, 1987

ON THE COVER

"Delegates at the New York Convention to Ratify the Federal Constitution"
Gerald Foster, 1938

New York's Ratifying Convention opened in Poughkeepsie on Saturday, the seventeenth of June 1788. Governor George Clinton, leading an Antifederalist majority of two-to-one, was elected president of the Convention.

George Foster's mural depicts the ratification scene at the Dutchess County Courthouse on July 26, 1788. On that date, the delegates voted to accept the proposed Constitution of the United States. At left center, Governor Clinton grasps the hand of Alexander Hamilton as Chancellor Robert R. Livingston, John Jay, Melancton Smith, and others endorse the approval.

Commissioned by the U.S. Treasury Department, the mural was installed in the United States Post Office at Poughkeepsie in 1938 and reproduced for the official bicentennial poster by the New York State Commission on the Bicentennial of the U.S. Constitution.

"Delegates at the New York Convention to Ratify the Federal Constitution"
by Gerald Foster, 1938
Courtesy of U.S. Postal Service, Poughkeepsie, N.Y.
Mary G. Bordonaro, Postmaster
Photograph by Jon Jameson

To His Excellency, Mario M. Cuomo, Governor of the State of New York, and the Honorable Members of the Senate and Assembly:

Pursuant to the provisions of Chapter 261 of the Laws of 1986, the New York State Commission on the Bicentennial of the United States Constitution hereby respectfully submits its first annual report.

The Honorable Sol Wachtler, Chief Judge of New York State
Chairman

The Honorable Domenick L. Gabrielli, Associate Judge
New York State Court of Appeals (Ret.)
Vice Chairman

The Honorable Mario M. Cuomo
Governor
Executive Chamber
The Capitol
Albany, New York

Dear Governor:

The New York State Commission on the Bicentennial of the United States Constitution was established by an Act of July 1, 1986, to "promote and coordinate activities to commemorate the bicentennial of the [U.S.] constitution and of New York State's role in its ratification." The objectives of that legislation challenged the Commission to raise public awareness of that historic document, to celebrate its unmatched benefits, and to examine its development over the course of the last two hundred years. We believe we have developed a comprehensive program that is directed toward fulfilling those goals.

Our primary thrust has been in the field of education. The cooperation of the Bureau of Social Studies of the New York State Education Department, New York State United Teachers, and the New York State Bar Association has enabled the Commission to reach students and teachers throughout the state, to furnish curriculum supplements, and to encourage meaningful participation in a wide variety of individual and group activities.

More than one hundred municipalities are now officially designated bicentennial communities, more than any other state save Georgia. This support is especially gratifying and indicates the widespread appreciation of New Yorkers for their heritage of unique constitutional guarantees. Their efforts are being furthered by our local assistance program which becomes operational in the summer of 1987. In addition, regional workshops will be held to train local planners for future bicentennial programs.

To reach individuals with a wide range of interests, we sponsor conferences and symposia, issue pamphlets on historical, biographical, and technical topics, publish a bimonthly newsletter, distribute a weekly newspaper series to nearly three hundred daily and weekly newspapers, commission television and other media programs, and speak to groups around the state.

As we conclude the first year of our three-year commitment, we feel privileged to have been granted the opportunity to bring the past history and continuing relevance of our Constitution to the people of New York. Therefore, I am pleased to submit, for your review, the first annual report of the New York State Commission on the Bicentennial of the United States Constitution.

Very truly yours,
Sol Wachtler, *Chairman*

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Historical Background

With the close of the Revolutionary War, American citizens faced new challenges as they struggled to form an effective government, revitalize commerce, and restore agriculture. These domestic problems replaced military affairs and gradually reached crisis proportions by the mid-1780s. Released from their common objective of achieving independence from Great Britain, thirteen sovereign states often pursued conflicting policies of self-interest.

A loose association of states under the Articles of Confederation allowed prosecution of wartime activities but failed to provide a workable framework for postwar economic and commercial development. Burdened by debt and harassed by interstate rivalries, the Continental Congress agreed to Alexander Hamilton's call for a convention to seek practical solutions "adequate to the exigencies of Government & the preservation of the Union." Seventy-four men, representing every state except Rhode Island, were appointed deputies to the Constitutional Convention. New York sent Alexander Hamilton, John Lansing, Jr., and Robert Yates.

When the delegates arrived in Philadelphia in May of 1787, they came armed with more than a decade of constitution-making experience in their respective states. Experiments with republican government, designed to remedy forever the history of royal abuses, helped to prepare those who convened for the difficult task ahead. In state legislatures, they had already hammered out the concept of separation of powers, provided for bicameralism, broadened suffrage, and ordered regular elections. New York State's constitution of 1777 also included provisions for the first popularly elected executive in the American system as well as for religious freedom and the separation of church and state.

The mission facing the delegates focused on the disputes resisting resolution under the Articles of Confederation. This compact, nevertheless, had cemented the states during their recent struggle against the British. Many delegates, including Yates and Lansing, believed it need only be refined or amended to insure the success of the Union.

Although the states were forbidden to conduct foreign affairs, make treaties, or declare war by the terms of the Confederation, they retained critical powers of commercial regulation and taxation. Hamilton's view of the measures needed to correct this crippling defect differed widely from those held by his companions. Hamilton advocated a strong, central government; Yates and Lansing expressed the fears of New York's popular governor, George Clinton, about remote, unchecked authority and walked out of the Convention on July 10. Hamilton and other Federalists urged adoption of the Virginia Plan, whose basic features were eventually endorsed by the Convention. Antifederalists, although divided on several issues, secured the provision for equal representation of the states in the Senate. On September 17, 1787, the delegates signed the Constitution and sent it to the Congress which then forwarded it, without recommendation, to the states.

When the Convention adjourned, the product of its labors became a topic of popular debate unparalled in human history for the numbers of people involved in reasoned constitutional discourse. Here, in New York State, where the debate was the most widespread, commentaries for and against the Constitution appeared in the press over a seven-month period. *The Federalist* papers, a national treasure, presented arguments by "Publius" to sway the voters of New York in favor of the proposed Constitution, and is still acknowledged as an authoritative source for interpreting and analalyzing the intent of the Framers.

Congress assigned ratification of the proposed Constitution to state conventions, elected solely for that purpose. For the first time, suffrage was extended to every free male adult in the State of New York, eliminating the property qualifications that normally determined eligibility at the polls. Political maneuvering delayed the elections for delegates to the ratification convention, which finally met in Poughkeepsie in June 1788. There, John Jay and Alexander Hamilton merged their skills at debate with an inspired parliamentary strategy that culminated in overcoming odds of two-to-one against them. On July 26, 1788, New York became the eleventh state, in a process that required nine, to ratify the Constitution.

The contributions of New Yorkers to our federal system do not end, nor did they begin, with the events of 1788. Our colonial charters provided a seedbed for liberty, the immigrants to our shores (such as Peter Zenger) toiled to keep that seedbed free, our state constitution makers (such as John Jay) established the first experiment in republican liberty, New York ratifiers of the federal Constitution fought to see that document completed by a bill of rights, and later generations kept our state constitution responsive to changing social needs. Distinguished jurists, political leaders, advocates for many causes, and, most of all, ordinary citizens have tested the federal Constitution's language and enlarged its benefits for two hundred years.

The first national constitution to recognize the people as sovereign; strong, but flexible; precise in many instances but deliberately vague in others; subject to reinterpretation by succeeding generations, the United States Constitution occupies a supreme position in the American constitutional system, but not the only position. It is the story of this remarkable document and New York's role in its development and our own state constitutional experience that the New York State Commission on the Bicentennial of the United States Constitution seeks to share with others.

The Work of the Commission

The Commission has targeted three spheres of interest that direct our most substantial and sustained efforts: the community, the classroom, and the individual. These areas often overlap, providing extended audiences for our work and expanding the number of opportunities for sharing resources and ideas. The Commission, in turn, benefits from this interaction and incorporates suggestions generated by others. By a process of informed noncentralization, each group is free to adopt and modify programs, activities, and materials to best suit individual needs.

Based on the results of a statewide survey conducted to determine participation levels, education and celebration appear to be the twin goals of both local and regional bicentennial observances.

Community Outreach

Communities across the state are designing bicentennial programs by involving a broad cross-section of citizens who contribute ideas and energy to many different projects. To become an officially designated community, a local government must establish a bicentennial commission and develop a plan of action for a bicentennial program of educational value. To date, approximately one hundred communities have received official designation and regularly receive our newsletter, the *New York Delegate*, and other materials from the Commission.

An additional category was established to encourage the bicentennial activities of non-profit organizations. To earn official recognition, an organization must certify to its nonprofit status and present a plan for educational bicentennial programs. The Commission has recognized the projects of approximately twenty-two organizations as of June 30, 1987.

Our Local Assistance Grant Program provides financial and practical assistance to county governments. An appropriation of $500,000 for FY 1987–88 provided the basis for this program, which distributes funds to all eligible counties and New York City boroughs.

The Commission also offers technical assistance, including the preparation and dissemination of materials to support the establishment of ongoing working relations with individual communities. Coordinated by Empire State College, a two-day statewide conference in September 1987 will bring eleven regional teams together for sessions devoted to bicentennial activities. These teams will, in turn, train local planners in the areas of media techniques, exhibitry, resource development, and fundraising. In addition, the Commission administers a grants program for educational projects of statewide significance. One such effort is being implemented with the assistance of the New York Council for the Humanities, encouraging innovative community efforts to develop public education humanities programs in constitutional history and theory.

The Commission also coordinates "Plant a Living Legacy," a national program cosponsored with the United States Bicentennial Commission to develop tree-planting and gardening programs in commemoration of the Constitution. Many of these community projects will be dedicated on Constitution Day, September 17.

The Commission has made available, free of charge, a series of articles, "Two Hundred Years Ago This Week," to nearly three hundred daily and weekly newspapers in New York State. Every fourth article focuses on New York's role in the development and adoption of the Constitution. The text is prepared by the Documentary History Project on the Ratification of the U. S. Constitution, located at the University of Wisconsin, Madison.

Other media projects include the preparation of public service announcements, talk-show appearances, and films. A nine-minute video, "The Reluctant Pillar," relates the story of New York's Ratification Convention in July 1788. The video and an official state poster are based on Gerald Foster's 1938 mural in the United States Post Office at Poughkeepsie, depicting the New York State Ratification Convention. The video will be aired by the state's public television stations on September 16 as part of a "Teach-In" on the Constitution (see "The Classroom Component").

Exhibitry provides another useful avenue for reaching large numbers of the public. The Commission is undertaking and supporting a number of exhibits, including "Roads to Liberty: Magna Carta to the Constitution," a national tour bringing the Magna Carta into New York State. The New York components consist of a panel depicting New York's role in the adoption of the Bill of Rights and other significant documents in New York's constitutional history. An exhibit is also being prepared for the New York State Fair in Syracuse, and we are assisting the Office of Parks, Recreation and Historic Preservation in the development of a John Jay Travelling Exhibit. With the assistance and cooperation of other federal, state, and private agencies, the production of additional travelling and permanent exhibits, focusing on key New Yorkers, is being explored.

Special events are an important part of the Commission's work. First, they provide an educational yet entertaining opportunity for learning more about the Constitution by individuals and families who might not otherwise be able to participate in the bicentennial. Second, some individuals and families attracted to special events become interested in more substantial learning experiences; and third, the special event itself draws the attention of a wider audience to the bicentennial and future programs. Among the special events of 1987 are receptions, ceremonies, tours, family festivals, and musical performances (see "One on One").

The Classroom Component

The Commission considers its classroom effort to be among its chief responsibilities and opportunities. Supplementary curriculum materials of quality, such as the *Bicentennial Fun Book* for elementary-grade students, are uniformly and consistently welcomed by social studies coordinators as well as by teachers, especially of the fourth, seventh, ninth, and eleventh grade units on state and national history. In the development of elementary and secondary education programs, we have been working closely with the New York State Social Studies Bureau, the New York State Bar Association, and New York State United Teachers.

With their cooperation, three special learning weeks have been designated to foster awareness and appreciation of con-

stitutional themes. During the first of these three weeks (May 24–31), a variety of educational activities took place, not only for school-age children, but for learners of all ages. They included the May 26 airing of the 1987 Law Day Program at the New York State Court of Appeals, the Social Studies Fair organized by the New York City Board of Education, a Student Constitutional Convention sponsored by the New York State Assembly, and the Imagination Celebration "Salute to the Constitution" on May 31.

During our first year, we have also planned the state portion of a day-long national "Teach-In" on the Constitution on September 16 as part of our Constitution Learning Week. Students will participate in a 1:00 P.M. radio and TV broadcast of the Pledge of Allegiance and a reading of the Preamble to the Constitution. Suggestions for special projects and activities were included in a recent issue of *New York Teacher*, a professional publication with bi-weekly circulation of 250,000.

The Commission is also participating in three writing competitions. The first, sponsored by the U.S. Bicentennial Commission, the American Bar Association, and USA TODAY/ Gannett Company, is administered by the Commission in New York State. We have recruited approximately four hundred persons to serve as competition judges, and first-round selections have been made. In the second case, four prizes of $750 each are being awarded by the Commission to winners of an essay contest developed by the New York State Historical Association. The winning essays will also be published in the July 1988 issue of the Association's journal. Finally, the Commission has agreed to serve as the New York State advisory board in the multi-year National Bicentennial Competition on the Constitution to be administered within New York State by the Social Studies Bureau.

One on One

The public response generated by bicentennial activities spans the spectrum of individual interests. To address this audience, the Commission has supported a number of events to engage the individual as citizen. "Sign-On to the Constitution" provides the opportunity for individuals to add their names to a scroll bearing the Preamble to the Constitution. The scroll will be housed in a mobile unit that will tour communities across the state.

Exhibits cosponsored with the New York State Archives and the New York State Library brought historic constitutional records, documents, and imprints to the public for brief, but significant display. "Roads to Liberty: Magna Carta to the Constitution," will tour three sites in the state: the Albany engagement (July 25–28) will be part of "Capitol Days" at the Empire State Plaza; the second upstate site is Goat Island State Park at Niagara Falls (July 29–31); the New York City tour is scheduled for September 6–11 at South Street Seaport. The American Express Company, the corporate sponsor of this mobile exhibit, is also underwriting two major receptions in New York in conjunction with the tour. New York's portion of the exhibit is being produced with the assistance of the Office of Parks, Recreation and Historic Preservation, and includes the official state poster, "Delegates at the New York Convention to Ratify the Federal Constitution," along with facsimiles of the first New York State Constitution and other significant documents illustrating New York's role as a bridge between the Magna Carta and the federal Bill of Rights.

Constitution Day celebrations (September 17) will vary from place to place. Religious ceremonies, park dedications, flag-raisings, parades, and readings of the Constitution are among the suggested activities. At 4:00 P.M., churchbells across the country will be rung to commemorate the hour at which the delegates to the Convention in Philadelphia signed the Constitution.

The staff has attended and participated in over seventy-five programs, activities, and conferences in an effort to bring the work of the Commission to public attention. Of special significance are presentations before the New York State Librarians' Association, the Association of Towns, the New York State Regents, a *Newsday* symposium, and the State of the People Conference in Philadelphia.

Scholarly conferences, cosponsored by the Commission, are under consideration and will address the following subjects: state constitutions, submitted by Albany Law School; New York State ratification of the U.S. Constitution, with Sleepy Hollow Restorations; and religious liberty in the federal system, with Pace University and the Anti-Defamation League of B'nai B'rith. In addition, the Commission has developed a proposal for a conference on the militia in the federal system, submitted to the Secretary of the Army and the U.S. Military Academy at West Point. The Commission also looks to cosponsor a conference on the states and the Bill of Rights and on women and the Constitution.

Commemoration of the publication of *The Federalist* No. 1 in the New York press on October 27, 1787, presents an opportunity to begin the second phase of the bicentennial in which attention is increasingly directed toward the role of the state and its local communities in the ratification of the Constitution.

The Commission has also embarked upon an effort to produce a "Who's Who of New York Constitution-Makers," a publication that will profile over 700 key figures, past and present, in the constitutional history of the state. Another publication, currently in the research phase, is a volume devoted to "The Constitution in Art," surveying and annotating items of material culture embodying constitutional themes.

Other Commission Activities

The Commission opened the year staffed by three professionals: an executive director and two associate directors. They were assisted by one full-time secretary and four student-interns who handled correspondence, copying, bulk mailings, purchasing, filing, and other office procedures. The support staff now consists of an executive assistant, two full-time secretaries, and one clerk. In addition, the Commission has been fortunate to have the very able assistance of Harold Wolfe, associated with the Office of Court Administration, as public information officer, Roy Speckhard and Louise Miller, members of the faculty of Empire State College, as local government coordinators, and Paul Finkelman, S.U.N.Y. Binghamton, as consulting editor.

To handle statewide and regional special events, the Commission has requested bids from public relations firms to coordinate promotional and technical assistance to interested individuals, organizations, and local governments.

The Commission also has entered into agreement with other state and private agencies in a variety of ways. One such instance is Capitol Days (July 25–28) at the Empire State Plaza, Albany, developed with the assistance of the Office of General Services, the Office of Protocol and Special Projects, the Department of Agriculture and Markets, the Department of Commerce, and the statewide tour of "Roads to Liberty: Magna Carta to the Constitution." We have worked also on exhibitry with the New York State Office of Parks, Recreation and Historic Preservation. The May 31 "Salute to the Constitution" event, capping the week-long seventh annual Imagination Celebration at the Empire State Plaza, was coordinated with the New York State Alliance for Arts Education, a private not-for-profit entity energetically directed by Dr. Vivienne Anderson. The Commission makes every effort to generate from these events classroom materials such as replication packets, mechanicals for artwork, suggested reading lists, and teacher guides.

Additionally, the Commission and the Business Council of New York State have begun to discuss opportunities for sponsorship of bicentennial activities and materials with the private sector. Financial assistance from the American Express Company for the Magna Carta Tour and Merrill Lynch for a gala bicentennial event has been committed.

The Commission is also delighted to announce the formation of a fund-raising effort led by Milton Gould, Esq., of New York City. Mr. Gould has graciously offered his services in support of our programs and has already begun to contact a list of potential contributors.

Designated Bicentennial Communities

June 30, 1987

ALBANY
ALTAMONT
BABYLON
BALLSTON
BAYVILLE
BELLMONT
BLOOMING GROVE
BRIARCLIFF MANOR
BRIGHTON
BROOKHAVEN
BROOME COUNTY
BRUNSWICK
CAMBRIA
CANANDAIGUA
CANAJOHARIE
CATO
CEDARHURST
CLINTON
COLONIE
CONCORD
COXSACKIE
DARIEN
DEPOSIT
DOBBS FERRY
DUTCHESS COUNTY
EAST FISHKILL
EPHRATAH
FLOYD
FORESTBURGH
FORT DRUM
FRANKFORT
FRANKLINVILLE
GALWAY
GENESEE COUNTY
GERRY
GLBERTSVILLE
GLEN COVE
GLOVERSVILLE
GOUVERNEUR
GREENBURGH
GREENWOOD LAKE
HAGUE
HARRISON
HARTWICK
HOPKINTON
HORNELL
HUNTINGTON
HURLEY
ILION
JAVA
JAY
JOHNSON CITY
KIRKLAND
LARCHMONT
LISLE
LUZERNE
LYNBROOK
MADISON
MALTA
MAMARONECK
MARION
MAYFIELD
MINEOLA
MOUNT VERNON
NEW YORK
NISKAYUNA
NORTH COLLINS
NORTH HAVEN
NORTH HEMPSTEAD
NORTH SALEM
NORTH TONAWANDA
NORTHPORT
OLD BROOKVILLE
ONONDAGA
ORANGETOWN
OYSTER BAY
PALERMO
PAWLING
PLATTSBURGH
POESTENKILL
PORT CHESTER
PORT JERVIS
PORT LEYDEN
POTSDAM
POUGHKEEPSIE
PRATTSBURG
PUTNAM
RENSSELAERVILLE
ROCKLAND
ROUND LAKE
RYE
SCHOHARIE
SENECA FALLS
SMITHTOWN
SOMERS
SOMERSET
SOUTH GLENS FALLS
SOUTHAMPTON
SOUTHOLD
SPAFFORD
ST. JOHNSVILLE
STRATFORD
STOCKHOLM
SUFFERN
SUFFOLK COUNTY
TONAWANDA
TUCKAHOE
U.S. MILITARY ACADEMY
VERNON
VESTAL
WADDINGTON (TOWN)
WADDINGTON (VILLAGE)
WAPPINGER
WARSAW
WAWARSING
WEEDSPORT
WELLSVILLE
WESTCHESTER COUNTY
WESTHAMPTON BEACH
WEST SENECA
WHITESTOWN
WHITNEY POINT
WILLIAMSON
YOUNGSTOWN

New York was the eleventh state, in a process that required nine, to ratify the proposed United States Constitution.

The logo of the New York State Bicentennial Commission adapts the eighteenth-century metaphor of a federal "house" or dome supported by thirteen pillars, with New York highlighted in the eleventh position.

Annual Report

July 1, 1988

The New York State Commission on the Bicentennial
of the United States Constitution

Introduction

In its second year, July 1, 1987–June 30, 1988, the program of the New York State Commission on the Bicentennial of the U.S. Constitution moved from the Constitutional Convention of 1787 and its story to the dramatic ratification struggle that subsequently gripped New York State. The extent of the debates, the clarity and quality of the opposing arguments, and the distinguished individuals involved made our experience unique. From the pens of two New Yorkers, John Jay and Alexander Hamilton, and the Virginian, James Madison, came the most durable and admirable statement on constitutional democracy, *The Federalist*, supporting a strong national government. Its publication brought responses from the majority opinion that prevailed in New York, advocating a premier role for the states. This group, misnamed "Antifederalists," was led by Governor George Clinton. When the ratification convention opened on June 17, 1788, at the Dutchess County courthouse in Poughkeepsie, Antifederalist delegates outnumbered Federalists by a majority of more than 2 to 1, but eight of the required nine states had already ratified the Constitution. News of New Hampshire's affirmative vote of June 21 was followed by Virginia's ratification shortly thereafter. New York's delegates then were faced with a *fait accompli;* the issue became *how*, rather than *whether*, to ratify.

After another three weeks of discussion, the conversion of the Antifederalists' convention manager, Melancton Smith, broke the stalemate, and New York ratified the Constitution by a margin of three votes on July 26, 1788. A list of "recommendatory" amendments, however, was attached. Foremost among these was the first American constitutional provision of the phrase, "due process of law," submitted by John Lansing, Jr., and later expressed in Amendment V of the Bill of Rights.

The lengthy dialogue enabled the residents of New York State to consider the full implications of the proposed Constitution, while the convention provided a forum for clause-by-clause consideration of its elements. With approval, New York became the eleventh pillar of the federal republic.

The broadly encompassing theme of popular consent has directed our program for 1988, providing the focus for conferences, publications, local assistance, and special events. The Commission seeks to provide all New Yorkers, young and old, with the opportunity to observe, attend, or participate in one or more ratification activities.

The Work of the Commission

The range of activities, publications, programs, and special events developed by the Commission expanded dramatically during our second year of operation. We added new personnel, namely Michael J. Phillips as program director and Stephanie Thompson as education coordinator. They have substantially increased our capacity to meet individual and multiple requests for materials, services, technical assistance, and financial aid.

The Commission also renewed successful and productive programs with organizations that cooperated with us last year. Dr. Vivienne Anderson, Statewide Coordinator of the Imagination Celebration, Eric Mondschein, Director of the Law, Youth and Citizenship Program of the New York State Bar Association and the New York State Education Department, and Hugh Hammett, Dean of Continuing Education and Public Service at Empire State College, have again collaborated with the Commission, enabling our message to find expression in the arts, in the classroom, and in public forums. With their help, we have assembled a network of field representatives who coordinate and implement Constitution-related activities at the local level.

We have also prospered from our association with the public historians of New York State, who have consistently embraced our programs with unfailing good will and conviction. They have provided further linkage to historical, cultural, and educational groups from Long Island to the Niagara Frontier.

A modest but well-received local assistance program of $5,500 grants evoked responses from fifty-two cities, counties, and towns, bringing the number of bicentennial communities in New York to 234, more than in any other state. The individuals and organizations involved deserve high praise for planning, promoting, and carrying out creative programming with, in most instances, limited resources. Their continued cooperation encourages the Commission to pursue its mission to heighten awareness and appreciation of New York's unique constitutional heritage.

Competitions

The Commission serves as the state advisory board for the National Bicentennial Competition, administered in the state by the Social Studies Bureau of the New York State Education Department and administered nationally by the Center for Civic Education in California. The statewide competition was held on March 5, and the Commission joined with the state Social Studies Bureau in preparing the event and supplying judges for it. The Commission later successfully petitioned the New York State Commissioner of Education for approximately $16,000 in travel monies for winning students to participate in the national competition in Washington, D.C.

The Commission also administered an essay competition on critical constitutional choices facing New York State as part of its "Critical Choices" Program. The essay contest included a junior division open to all New Yorkers under the age of eighteen as well as a senior division.

Conferences and Lectures

The Commission joined with Empire State College in co-sponsoring a conference for community bicentennial leaders, held in Saratoga Springs on September 14–15. The conference also served as a workshop for training regional teams to develop bicentennial programs at Empire State College centers around the state. Other conferences and lecture programs co-sponsored during Constitution Week by the Commission included: a major conference on the Iroquois Confederacy and the Constitution, co-sponsored with the American Indian Program of Cornell University, Ithaca, September 11–12; and a special lecture at the Rensselaerswyck Seminar, Albany on "Dutch Contributions to the U.S. Constitution" by James Tanis. Later that month, on September 22, the Commission co-sponsored a public lecture at St. Rose College on "Irish Contributions to the Constitution" by David Doyle.

To commemorate the 200th anniversary of *The Federalist* papers, the Commission held a major public event at the New York County Courthouse. (See "Special Events" elsewhere in this report.) In addition, on October 21, the Commission co-sponsored a public lecture on *The Federalist* papers, offered by Richard Morris of Columbia University at Russell Sage College in Troy. The event was co-sponsored with the College and the Rensselaer County Historical Society.

The College of St. Rose, the New York State Bicentennial Commission, and the Albany County Historian's Office co-sponsored a day-long conference on October 31. "We the People/The Hudson-Mohawk Perspective" included presentations by the executive director, who delivered the keynote address, and by the research director, who addressed the question, "Who Were the 'People'?"

On March 14, the Commission and the New York State Division for Women co-sponsored a program in recognition of Women's History Month. A panel of distinguished women in leadership roles spoke on "Women and the Constitution: Perspectives for the Future." Participants included Hon. Judith S. Kaye of the New York State Court of Appeals, Lynn Hecht Schafran, Esq., Director, National Judicial Education Program to Promote Equality for Women and Men in the Courts, and Hon. Barbara Patton, Director of the New York State Division for Human Rights.

Research into the history of New York's ratification of the U.S. Constitution was shared by scholars at a ma-

jor conference co-sponsored by the Commission and Historic Hudson Valley, "New York and the Ratification of the Constitution." A two-day meeting at Federal Hall in New York City, May 20–21, 1988, brought historians and others together for papers presented by both young and established scholars. The keynote speech was delivered by Stanley Katz, President of the American Council of Learned Societies and Chairman of the Organization of American Historians.

Plans for our third year include conferences on "Liberty and Justice For All," for social studies and arts teachers, co-sponsored with the Law, Youth and Citizenship Program and the Imagination Celebration for July 25–28; "Citizenship Leadership in the Third Century," for community bicentennial planners, co-sponsored with Empire State College, for September 14–15; and a conference on "State Constitutions in the American System," co-sponsored with Albany Law School, for October 14 and 15.

Exhibits

As part of Capitol Days, the Commission joined with the New York State Capitol Commission in co-sponsoring an exhibit on the ratification sites of the thirteen original states. Installed in the Capitol's east wing, the exhibit has remained open to the public throughout our second year.

The Commission also joined with the New York State Office of Parks, Recreation and Historic Preservation in co-sponsoring a major exhibit on John Jay at the 1987 State Fair in Syracuse. The exhibit recreated one of the walls of John Jay's home library and enabled visitors to walk through and have their picture taken at the "library." The exhibit was very popular, and we hope to arrange for its transportation to Poughkeepsie for Ratification Week.

The Commission has assisted various communities and agencies in gathering the necessary information and materials for their own exhibits. The Commission logo, the title, "The Reluctant Pillar," and Commission materials are frequently incorporated into local exhibits. Perhaps the most significant of such relationships to date is the collaboration that went into the installation of "The Reluctant Pillar" exhibit at the Museum of the City of New York. Open to schoolchildren and the general public from May 11 to July 31, "The Reluctant Pillar" provides rare insights into the lives of New York Federalists and Antifederalists.

The Commission also collaborated in the design of a special exhibit, "Faces and Places of Poughkeepsie," for installation in the Wyndham Hotel in Poughkeepsie for Ratification Week. As the title suggests, the exhibit juxtaposes portraits of Poughkeepsie Convention delegates with important sites and buildings of Poughkeepsie in the 1780s. We hope to tour "Faces and Places" after its Poughkeepsie showing.

The Commission also collaborated with the Governor's Office, the New York State Capitol Commission, the New York State Archives, and the New York State Office of General Services in the design of an exhibit on New York State ratification for the Red Room, June 1–July 31, 1988. For that purpose, we commissioned special photographs of the faces of ratifiers sculpted into the "Million Dollar Staircase" in the Capitol. Following the Red Room engagement, we hope to tour "In Full Confidence" around the state.

Travelling Exhibits

As indicated above, the Commission attempts, wherever possible, to arrange for the multiple uses of exhibitry. This is most easily accomplished by commissioning designs that can be replicated or toured. The State Fair exhibit is one example; the Poughkeepsie exhibit and the Red Room exhibit provided two more examples. Others are summarized below.

"A Bridge to Liberty"

The exhibit panel installed in the Magna Carta van in 1987 has been redesigned in triptych form for distribution to bicentennial communities and other interested organizations. Funds contributed by the New York Power Authority covered the costs of printing "A Bridge to Liberty" which traces the constitutional heritage of New York with documents of the seventeenth and eighteenth centuries. Portions of the Charter of Libertyes & Priviledges, the Duke's Laws, and the State Constitution of 1777 illustrate New York's constitutional development, rooted in Magna Carta, from colonial province to sovereign state. The Commission acknowledges the contributions and cooperation of the Bureau of Historic Sites at Peebles Island for making this project possible. The original panel has been offered to the Dutchess County History Department for permanent display in the Dutchess County Courthouse.

Placards

The Commission provided approximately 2,500 bus placards with bicentennial messages to regional transit authorities, namely: the Capital District Transportation Authority, the Broome County Transportation Authority, the Westchester County Department of Transportation, Regional Transit Service (Rochester), the Niagara Frontier Transportation Authority, CNX Centro, Inc. (Syracuse), Utica Transit, and the Ithaca Transportation Authority. The placards were designed by the New York City Bicentennial Commission.

Kiosks

With the New York Council for the Humanities, the Commission enabled 125 communities and organizations to receive three free-standing exhibit kiosks entitled, "The Blessings of Liberty," designed by Project '87, a bicentennial organization established by the American Historical Association and the American Political Science Association.

Field Work and Operations

The staff responds to numerous requests for Commission representation at activities across the state. The executive director attended and made presentations at more than sixty community programs from Long Island to the Canadian border. Additionally, presentations were made at various state and national meetings. Among these were the following: the U.S. Bicentennial Commission national conference in Washington, D.C., where the executive director was invited to conduct the session for state and local governments; the annual meeting of the New York State Social Studies Council in Albany, at which the executive director and the program director spoke on the work of the Commission; workshops held by the executive director at the New York State Association of Education Secretaries' annual meeting and the Teachers' Conference of the New York State Historical Association; the Association of Towns annual conference, where more than 2,000 public officials learned of the Commission's activities; the statewide conventions of the Daughters of the American Revolution and the Colonial Dames, at whose banquets the publications director spoke; Hofstra University's Conference on Queens County History, the annual meeting of Municipal and County Historians, and the annual meeting of the New York State Bar Association's Program on Law, Youth and Citizenship, whose agendas included an address by the executive director.

The administration of several projects supported by the Commission was coordinated by Thomas Burke, who reviewed, approved, and processed designated bicentennial community applications, supervised the implementation of local assistance funds, and steered the Commission's efforts in designing and implementing essay contests. The research director also assembled portfolios of resource materials covering requests for visual, biographical, and historical information, prepared essays for various publications, and developed a corps of more than 500 individuals who share an interest in the work of the Commission.

Management of our "Critical Choices" effort came under the direction of Michael Phillips, who arranged for experts in the field of public forums to share with us their evaluations and recommendations. An informational symposium, attended by representatives from The Jefferson Meeting Foundation, National Issues Forum, Foreign Policy Association, and the American Bar Association, among others, was followed by a meeting with our "Critical Choices" regional coordinators, at which time the thrust and scope of the program was finalized. Phillips has also undertaken the coordination of the July 25–26 convention at Poughkeepsie, met with local government officials and community planners in connection with the town meetings and the convention, and is supervising arrangements for travel and facilities use, as well as overseeing the substantive agenda to be addressed by the convention delegates.

Our education coordinator, Stephanie Thompson, maintains close ties to the state's educational community, represents the Commission at professional conferences and symposia, makes recommendations relating to programs and publications, and brings valuable classroom insights to our work.

The distribution of Commission materials is ably managed by Natalie Irvis; telephone inquiries are handled by Tracy Sinnott; Margaret Gordon-Cooke processes financial matters; and Cynthia Shorts, the director's executive assistant, acts as liaison between the staff and the public.

Funding: Non-profit Organizations

Dozens of bicentennial activities at the local level were supported by the Commission and administered by the New York Council for the Humanities. Mini-grants (up to $2,500) to non-profit organizations and bicentennial communities funded exhibits, lectures, films, study groups, library acquisitions, and other educational programs.

Grantees

Albany Institute of History and Art, Albany; ratification exhibit and public lecture series.

Amerinda, New York City; scholarly research for public service announcements on the Iroquois Confederacy and the U.S. Constitution.

Bryant Library, Roslyn; October 6 lecture and showing of the film, "A Little Rebellion Now and Then," and November 10 lecture on "The Religious Clause of the First Amendment."

Canajoharie Library, Canajoharie; two-part seminar conducted by Chief Oren Lyons of the Onondaga Nation.

Cobleskill Public Library, Cobleskill; six-part lecture series on the Constitution.

Fraunces Tavern Museum, New York City; lecture on the role of the Irish in the framing of the Constitution.

Forest Hills High School, Forest Hills; student debate on the Constitution.

City of Glen Cove, Glen Cove; four-part lecture study group on the Constitution.

Hastings High School, Hastings-on-Hudson; September 30 panel discussion on "The Status of Civil Rights and Civil Liberties Today," featuring CUNY Law School Dean Haywood Burns and U.S. Magistrate Ruth Washington.

Historical Society of Rockland County, New City; three-part lecture series on the ratification from a regional perspective, moderated by Judge Kelly of the Ninth Judicial District.

Le Moyne College, Syracuse; televised "Town Meeting on the U.S. Constitution," December 15.

Merrick Library, Merrick; week-long series of events in September on "Censorship and the First Amendment," featuring Nat Hentoff of the *Village Voice*.

Middle County Public Library, Centereach; distribution of a monograph on Long Island's contribution to the U.S. Constitution featured at the 1987 Brookhaven Town Fair.

Monroe County Bar Association, Rochester; an address by Hon. William H. Rehnquist, Chief Justice of the United States Supreme Court, on September 17.

Mount Saint Mary College, Newburgh; two addresses by Professor Robert Jones of Fordham University.

New School for Social Research, New York City; two colloquia on the Constitution, featuring Professor Neil Riemer of Drew University.

New York University, New York City; four-part reading and discussion series on the Constitution.

Peninsula Public Library, Lawrence; five reading and discussion meetings in November and December, focusing on the Constitution and its interpretation.

Polytechnic Institute of Brooklyn, Brooklyn; address by Professor Michael Kammen of Cornell University.

Port Washington Public Library, Port Washington; discussion by historians on October 22 of "Vice, Virtue and the Founding Fathers: Their View of the Constitution and Ours."

Eleanor Roosevelt Center, Val-Kill, Hyde Park; two-part event on "The U.S. Constitution and Foreign Policy."

Shelter Rock Public Library, Albertson; three-part reading and discussion study group on the Constitution in the spring of 1988.

Solidaridad Humana, New York City; bilingual panel October 19 on why the U.S. Constitution has failed to provide comparable stability for the Latin American countries which have used it as a model.

Southern Adirondack Library System, Saratoga Springs; study group discussions of federalism, the Bill of Rights, the U.S. Supreme Court, and executive selection and power.

Elizabeth Cady Stanton Foundation, Seneca Falls; three lectures on "Women and the Constitution" recorded for broadcast on WRVO, Oswego.

Ulster County BOCES, New Paltz; forum on March 31, 1988, bringing together scholars, school administrators, librarians, and members of the general public to discuss the First Amendment as it pertains to school library systems.

Utica College, Utica; public lecture by Professor Forrest McDonald on "The Constitution in Context."

Woodbourne Correctional Facility, Woodbourne; two reading and lecture group meetings on "Women's History and the Constitution."

Funding: Local Assistance

The Commission allocated funds for Constitution-related programming to the following eligible entities: all counties; all towns with a population in excess of 100,000; and all cities with a population in excess of 24,000. More than fifty proposals were approved and grants of up to $5,500 transferred to the political subdivisions listed below.

Grantees

Albany County
Publication of a guide to historical records of Albany County in the constitutional era.

Broome County*
Dramatic production; academic workshop on *The Federalist* papers; distribution of special *USA Today* issues.

Cattaraugus County
Musical and dramatic performances; parade; drum and bugle show.

Cayuga County
Lecture; ratification parade; travelling exhibits; school projects for elementary grades.

Chemung County
Exhibitry; materials for schools, senior citizen centers, and historical societies; lecture series.

Cortland County
Re-ratification event for area high schools; parade; "Federal Fair."

Delaware County
Lecture series; exhibits; essay contests.

Dutchess County**
Year-long program of education, commemoration, and celebration, including debates, conferences, monument, curriculum supplements, exhibits, lecture, gala, dramatic productions, and commissioned works.

Essex County
Exhibitry; research; lectures; contest.

Genesee County
Constitutional monument; dedication ceremony; community picnics.

Monroe County
"Living Legacy" tree-planting project; Iroquois Constitution Recognition celebration; oratorical and essay contests.

Montgomery County
"Living Legacy" plantings; exhibits; slide shows; "Signing Session;" pageant.

Onondaga County
Ratification mural, executed by community schools and agencies.

Orange County
Debates; workshops; exhibits; dramatic presentations; publications.

Putnam County
Parade; fireworks for Ratification Day; publications; essay contest.

Rensselaer County
Exhibits; tours; public service announcements; publications.

Saratoga County
Slide show based on eighteenth-century residents of Saratoga County; parade float; flag; exhibit at Saratoga County Fair.

Schenectady County
"Bicentennial Bookshelf;" Law Day mock trial video; Ratification Day Fair.

Schuyler County
Opening ceremonies at Governor's Hall of Fame; essay contest; lectures; "Living Legacy" plantings.

Suffolk County
Essay contest; exhibitry; commemorative coins.

Tioga County
Teacher education workshops; field trips; essay contest; lecture series.

Tompkins County
Public programming.

Westchester County*
Publication: *Westchester Celebrates We the People*. Includes contributions of Westchester County to the ratification of the Constitution, bibliography, chronology; historic sites.

Wyoming County
Art show; coloring book contest; essay contest; publications; "Living Legacy" plantings; display; teacher workshops.

* * * * *

City of Albany*
Jefferson Meeting; conference; dedication of "Albany Plan of Union" Avenue.

City of Auburn
Exhibitry.

City of Binghamton
Exhibitry; workshops.

City of Elmira
Travelling exhibit; lecture series.

City of Ithaca
Public planning.

City of Kingston
Lecture series; ratification parade.

City of Lockport
Contests; exhibits; citizenship awards; "Living Legacy" plantings.

City of New York*
Freedom Bus.

City of Poughkeepsie
Ratification Week parade; gala; regatta; bazaar; bike-a-thon.

City of Rochester*
Mock constitutional convention for fifty-six area high schools.

City of Syracuse*
Commemorative mural.

City of Utica
Musical events; constitutional readings; distribution of materials.

Borough of the Bronx
Ratification Day convocation and reception; lecture series.

Borough of Brooklyn
Exhibitry; publications; lecture series.

Borough of Manhattan
Student newspaper bearing on Constitutional themes to be published and distributed to all schools in Manhattan.

Borough of Richmond
Lecture series; debate; art, photo, and essay contests.

Town of Cheektowaga

Town of Islip

Town of North Hempstead

Town of Oyster Bay

Town of Smithtown

* Received additional assistance of $3,500 to administer "Critical Choices" Programs.

**Dutchess County received a total of $21,200 in local assistance.

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Programs

Critical Choices
New York and the Constitution

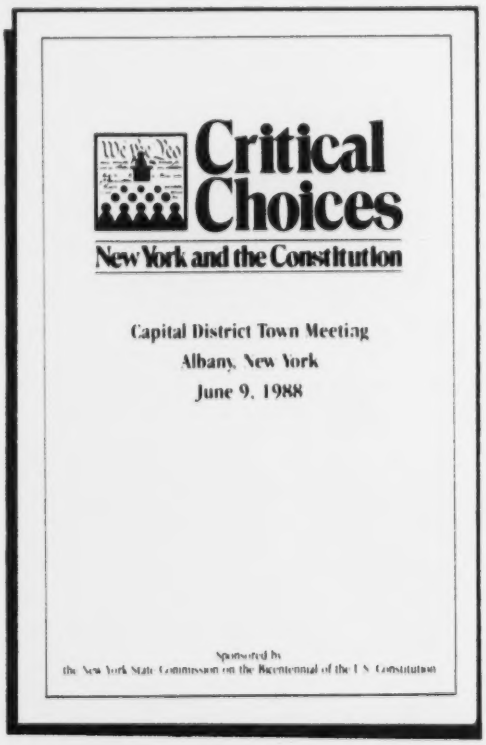
Our major public outreach program for 1988, "Critical Choices: New York and the Constitution," looks to the process of popular consent and to the future rather than the past. "Critical Choices" is composed of three distinct phases: a writing contest, conducted during March and April, which received nearly 600 entries; eleven regional town meetings on June 9, when New Yorkers engaged in a debate on today's critical constitutional choices; and a statewide convention of citizen-delegates to be held on July 25 and 26 in commemoration of the New York State ratifying convention that met in Poughkeepsie two hundred years ago. From these activities, a report of recommendations bearing on constitutional issues will be assembled for distribution to Governor Mario M. Cuomo, the New York State Legislature, and the presidential candidates. Topics were drawn from the following areas: freedom of expression, the right to privacy, equal rights, federalism and local home rule, and the separation of powers.

The Commission promoted "Critical Choices" in the schools, in the print and broadcast media, and in direct mail to all of the political subdivisions of the state. Target groups included students, teachers, social studies coordinators, elected and appointed public officials, bicentennial community chairpersons, and municipal historians.

We also prepared a *Critical Choices Study Guide*. It is hoped that twelfth-grade teachers might find the "Critical Choices" town meetings a model for the new "Participation in Government" requirement in the social studies curriculum. The town meeting open format included both plenary sessions and issues workshops where citizens expressed opinions and exchanged views.

Town Meetings were held June 9 in Buffalo, Henrietta, Syracuse, Ithaca, Binghamton, Albany, Kerhonkson, White Plains, New York City, Selden, and Hempstead. Approximately 2,000 New Yorkers participated in the activities. Attendance varied from a low of fifty to a high of nearly six hundred. Town Meeting reports are currently being evaluated and distilled for distribution to delegates in preparation for the Poughkeepsie Convention. An audience survey relating to constitutional issues, prepared with the assistance of Siena College and distributed at the town meetings, is also in the process of being analyzed. As indicated above, the program met with mixed results, and refinement of goals and procedures continues.

The program's implementation flows from our regional coordinators, whose dedication has earned our sincere gratitude. They include Joyce Ghee, Elayne Seaman, Harold Wolfe, Susan Swanson, Molly Gibson, Ronald Hull, Randall Cook, Steven Kulick, Michael Phillips, Dale Crary, Neil Schwartzbach, Joann Scalia, and Natalie Naylor. We also wish to thank our "Critical Choices" co-sponsors for their contributions and support.



Eleven regional "Critical Choices" town meetings took place on June 9, 1988.

Constitution and Community

Empire State College Regional Plans

Empire State College regional teams planned and implemented public programs relating to the bicentennial of the drafting and ratification of the U.S. Constitution. Serving as field representatives for the New York State Bicentennial Commission's "Constitution and Community" project, they are working with local bicentennial commissions and other interested organizations to bring activities and events of various kinds to communities across the state. In addition, they also coordinate technical workshops for bicentennial planners. Regional reports follow.

Hudson Valley–Westchester

This team, led by Ron Davis, hosted a regional conference on January 28–29, 1988. The conference theme was "Forgotten Americans: Minorities and the Constitution." The program began on the evening of January 28 with an address by the noted actor and human rights activist, Ossie Davis.

On the following day, a series of panel presentations and discussions focused on the concerns of women, Hispanic-Americans, the disabled, Afro-Americans, homosexuals, and Asian-Americans in their ongoing quest for the full realization of their constitutional rights. College faculty and various community leaders served as panelists and discussion leaders.

Attendees included a number of local political officials, town historians from surrounding communities, bicentennial chairpersons from the Westchester area, the college community, and leaders from the women's movement, the Afro-American, Hispanic-American, and Asian-American communities.

Plattsburgh

Led by Darrell Leavitt, the Plattsburgh team inaugurated and promoted throughout the north country a minigrant program for public schoolteachers. Sample suggested topics included: local fairs where people "meet" students dressed as various Founding Fathers; ethnic fairs to celebrate America's diversity; creation of guided tour materials for historic sites from the constitutional era; projects to have students write letters and essays to send to local newspapers; exhibits, arts presentations, and forums.

Syracuse

Team leader Elma Boyko reports that summer in Syracuse entices downtown workers outside to enjoy their lunch hour in the sun at Columbus Circle with its fountains, flowers, and benches. The Syracuse regional team is discussing how to bring a "Constitution & Community" event to those people and others who may join them on July 26, Ratification Day. Some ideas under consideration include a presentation based on the Jerry Rescue (a local historical conflict of state versus federal rights), simultaneous debates on the Constitution and constitutional rights at strategic places around the Circle, and historical exhibitry.

In addition, the Syracuse team hosted a local assistance workshop led by Lisa Belinsky of Ed Lewi Associates. Representatives from the mayor's office and Onondaga County Parks and Recreation Department attended.

Buffalo

The Buffalo team, headed by E. Lester Levine, organized a lunch-time program in cooperation with the Buffalo and Erie county libraries.

The title of the program was "The Living Constitution: Western New York State's Contribution," a series of five presentations on New York's role in the drafting and ratification process. The program was as follows: April 13, The Bill of Rights; April 20, *The Federalist* papers; April 27, Influence of the Iroquois Federation on the Constitution; May 11, Historical Development of the Constitution (using specific examples of court cases and individuals in the Niagara Frontier area); May 18, The Constitution and AIDS (Sexual Minorities and the Constitution).

Albany

The Albany team got off to a slow start owing to a change in personnel. The new team leader is Michael Sasso, who is employed by the New York State Department of Public Service.

He is now in the process of revitalizing the team's planning efforts. Ideas under discussion include a movie presentation to be used by local libraries. Dean Dennis DeLong of the Empire State College Albany Center is actively engaged and supportive.

Long Island

Led by Ed Saueracker, the Long Island team planned an impressive series of three public lectures on the Constitution's bicentennial: March 1, "The Origins and Evolution of the Constitution." Speaker: Richard Brown; March 23, "The Constitution and the Presidency." Speaker: Louis Koenig; April 27, "Do We Need a Constitutional Convention?" Speaker: Theodore M. Black.

Hon. Ann Galante, mayor of Mineola, is a member of the team, and the group has been working closely with the Mineola Bicentennial Commission. The forums were held in the village hall in Mineola. The team placed Project '87 bicentennial kiosks in the State Office Building in Hauppauge and in the village hall in Mineola.

Binghamton

The Binghamton Empire State College team has been coordinating efforts closely with the Broome County Bicentennial Commission, the City of Binghamton Bicentennial Commission, and other local community commissions. The team has elected to focus its efforts principally on small group activities for adults, especially emphasizing educational themes such as "Constitution and Community" and the historical significance of ratification for New York State. Several activities have already been successfully completed: distributing copies of the Constitu-

tion to schools, clubs, and community groups; scheduling Project '87 bicentennial kiosks for viewing in libraries and other public areas; and assisting the Broome County Bicentennial Commission on December 10, 1987, with the presentation of a lecture-discussion to senior citizens in Windsor, N.Y., on the theme "Constitution and Community."

The team planned two major projects. The first was a forum on the ratification process, on the critical choices that faced the new nation, and on ways the constitutional process can inform critical choices that we face today. The event featured New York State Bicentennial Commission Executive Director, Stephen L. Schechter, as speaker.

The second project is the preparation and publication of a pamphlet entitled, "Should Broome County Ratify the Constitution?" The pamphlet will serve as a resource guide for individuals and groups who may wish to discuss the impact of the Constitution on the local level. The publication will be distributed to libraries, clubs, and community groups.

Ithaca

The Ithaca team is engaged in ambitious planning efforts in cooperation with the city of Ithaca and Tompkins County. The team has been commissioned as the coordinating committee to design and administer bicentennial programs for both of those entities.

The Ithaca team, led by Neil Schwartzbach, has chosen the general theme of "Constitution and Social Justice," focusing especially on the First and Fourteenth Amendments and the rights of the accused. Activities will include on-the-street interviews that will provide the basis for a weekly column in the Ithaca *Journal*, entitled "What the Constitution Means to Me." Further, the team will sponsor a series of programs on equal rights in cooperation with the American Civil Liberties Union. The group is also considering sponsoring several artistic and theatrical productions on the Constitution's impact on people's daily lives.

In December 1987, the team issued a call for programs to be designed and implemented by individuals, educators, and community groups. Grantees can receive funding of up to $1,000 for each project accepted by the team.

Publications

The Commission encourages and supports the publication and distribution of historical, biographical, technical, visual, and educational materials relating to New York's role in the drafting, adoption, and ratification of the United States Constitution and the Bill of Rights. Items range from single-page flyers to collected works, and include illustrated and annotated essays as well as study guides, bibliographies, and teacher aids.

Scholarly Works

The Commission contributed funds toward the publication of a paperback edition of *The Origins of American Constitutionalism* by Professor Donald Lutz, Louisiana State University. Support is also being considered for Edward Countryman's forthcoming—*A People in Revolution.*

Conference Papers

The Commission supported the following titles adopted from papers presented at recent conferences: "Indian Roots of American Democracy," published in *Northeast Indian Quarterly*, Cornell University, Ithaca; "Constituting and Reconstituting America: Two Hundred Years of American-European Dialogue," published in *Social Research*, New School for Social Research, New York City; *Capital City: New York After the Revolution*, published by Fraunces Tavern Museum, New York City; *New York and the Ratification of the U.S. Constitution*, to be published by Historic Hudson Valley, Tarrytown; and *Liberty, Equality, and Justice*, to be published by the Law, Youth and Citizenship Program of the New York State Bar Association and the New York State Education Department.

Educational Materials

The widely acclaimed *Bicentennial Fun Book* and *Living Together Under the Law* were re-published by the Law, Youth and Citizenship Program and distributed with the assistance of the Commission.

A Citizenship Day classroom activity for the students in grades K-6 was prepared and distributed during the month of May. The activity introduces the eaglet as a symbol of the youth of New York State, for whom Governor Mario M. Cuomo has declared "The Decade of the Child." More than fifty thousand elementary teachers received copies of this material, which will be incorporated into a revised edition of *Living Together Under the Law*, prepared by the Law, Youth and Citizenship Program for elementary school teachers throughout New York.

Collected Works

The Reluctant Pillar: A Supplement is the companion volume to *The Reluctant Pillar: New York and the Adoption of the Federal Constitution*, edited by Stephen L. Schechter and published in 1987. The *Supplement* brings together *New York Notes* relating to the ratification of the Constitution. Organized into sections devoted to biographical, cultural, political, and technical topics, contributions provide brief treatments for the general reader. Complimentary copies of both volumes will be distributed to school and public libraries in New York State.

The Commission has provided subvention to the *Documentary History of the Ratification of the Constitution*, University of Wisconsin for the definitive publication of *The Federalist*, bringing together its complete text and all commentaries upon it.

Thomas Burke and Stephen L. Schechter are co-editing *A Documentary History of the New York State Constitution* which will bring together in one volume the text of all of New York State's constitutions up to 1938 as a companion to the current New York State Constitution published by the Department of State. The volume also includes an historical overview of each constitution and its convention, as well as a biographical directory of convention delegates. The Commission's contributing editor, Paul Finkelman, State University of New York, Binghamton, prepared the directories. Biographical sketches of convention delegates accompany the text of the constitutions presented to voters in 1777, 1821, 1846, 1867, 1894, 1938, and 1967. Donald S. Lutz of Louisiana State University provided the introductory essay for *A Documentary History of the New York State Constitution.*

The World of the Founders will take a community approach to the study of New York in the late eighteenth century. Essays will examine the social, economic, cultural, and political milieu of the ratification period on Long Island, in Manhattan, in the Hudson Valley communities of Poughkeepsie, Albany, and Schenectady, and in Canandaigua on the western frontier. Essays have been commissioned and publication is anticipated for the fall of 1988.

Community: Birthplace of Popular Consent includes an introduction by the Commission's chairman, Chief Judge Sol Wachtler, Carol Kammen's essay documenting the contributions of towns to the development of constitutional government in New York State, the text of the Town and County Acts of 1788, creating more than one hundred towns and sixteen counties in New York State, and a list of the towns and counties celebrating their bicentennial anniversaries in 1988. Complimentary copies were distributed at the Association of Towns' annual meeting in January.

A "Critical Choices" convention report, incorporating the recommendations of convention delegates, is being assembled for distribution to Governor Mario M. Cuomo, the New York State Legislature, and the presidential candidates.

To summarize, five of these titles have been released, ten are to be released in 1988, and three are under negotiation for release in 1989.

Other

Inauguration Cantata, 1789

Efforts to bring the work of the Commission to the performing arts are being realized by publication of an eighteenth-century cantata of musical selections performed at President George Washington's first inaugural at Federal Hall on April 30, 1789. Sample scores and *Evatone* sound sheets will be distributed to choral and band directors in schools across the state in time for the bicentennial anniversary of this event.

Raoul Camus of Queens Borough College researched this work, which was updated and scored for chorus and symphonic band by Captain Kenneth Force, Director of Music at the United States Merchant Marine Academy, Kings Point. We will explore the possibility of sponsoring a special performance of this cantata for the 200th anniversary of Washington's inauguration.

Calendar of Bicentennial Events

More than 200 activities relating to the bicentennial of the U.S. Constitution have been completed or planned for 1988 by organizations throughout the state. Many combine education with celebration, demonstrating the serious commitment of New Yorkers to these bicentennial anniversaries. The Commission distributed 35,000 copies of a calendar of statewide bicentennial activities to promote awareness of New York's efforts to commemorate, in a variety of ways, events relating to the drafting, ratification, and adoption of the United States Constitution.

Notes

Our series, *New York Notes*, has expanded significantly. Biographical and historical essays comprise the bulk of the list, which also includes study guides, bibliographies, and teacher aids. New this year are Gaspare Saladino's comprehensive study of eighteenth-century pseudonyms, biographical sketches of John Jay, William Duer, and Abraham Yates, Jr., and a Citizenship Day project for elementary school children.

Weekly Series

A chronological review of events relating to the ratification of the U.S. Constitution continues to be provided by John P. Kaminski, co-editor of *The Documentary History of the Ratification of the Constitution and the Bill of Rights 1787–1791*. The Commission distributes this series, "Two Hundred Years Ago This Week," to newspapers throughout the state.

Music and choral directors in New York's schools received flyers announcing publication of the "Inauguration Cantata, 1789."

Newsletter

The *New York Delegate* reaches more than 25,000 readers with news of statewide bicentennial activities, resources for programming, and Commission projects.

Gallery Guide

"The Reluctant Pillar: New York Ratifies the Constitution" is the title of an exhibition organized by the Museum of the City of New York and funded by a grant from Merrill Lynch & Co., Inc. for a ratification celebration. A sixteen-page illustrated gallery guide for the exhibition, which ran from May 11 to July 31, 1988, was prepared by the Commission and provided to the museum for distribution to the public. "The Reluctant Pillar" documents the role of key individuals and events that shaped the course of ratification in New York State.

Catalog

New York Furniture: The Federal Period, 1788–1825 illustrates thirty-five of the 125 pieces of furniture in an exhibit bearing the same title, opening at the New York State Museum in Albany on July 23. A number of the items are associated with the key figures of New York's constitutional era.

Special Events

Capitol Days, July 25–27, 1987, was the Commission's first major public event. Under the leadership of Fredrica Goodman, Director of the Office of Special Projects and Protocol, a variety of state agencies joined in putting together a weekend of programs and events commemorating the Constitution and the Capitol. Tours and exhibits occurred throughout the Capitol, and an eighteenth-century fair graced Capitol Park. A laser show, "Power to the People," saluted New York's constitutional history.

The stimulus for Capitol Days was the arrival of "Roads to Liberty," a mobile exhibit containing one of the few remaining copies of Magna Carta, together with other rare items including the Brasher Doubloon, the first gold coin minted in the United States. "Roads to Liberty" was nationally sponsored by the United States Constitution Council of the Thirteen Original States. In New York State, the Commission served as the state sponsor. After its Albany tour, "Roads to Liberty" went to western New York where it visited the Niagara Falls State Reservation. It returned to New York State in September for a special tour at South Street Seaport during Constitution Week.

The Commission was involved in a variety of events during Constitution Week. A New York State television program, featuring remarks by Governor Mario M. Cuomo and Chief Judge Sol Wachtler, aired on September 16 to coincide with national "Celebration of Citizenship" programming. On Citizenship Day, September 17, the Commission joined with other organizations in a special salute to the Constitution, held at Federal Hall in New York City. In addition, the chairman of the Commission represented New York State at a special program in Philadelphia which featured the chief judges of the thirteen original states.

Earlier that week, the Commission participated in Hispanic Heritage Week which featured the bicentennial theme. For that week, we co-sponsored publication of a special bilingual edition of the U.S. Constitution. Other events held that week are described in the section, "Conferences and Lectures," found elsewhere in this report.

October 27, 1987, marked the 200th anniversary of the publication of *The Federalist*, No. 1, authored by two New Yorkers, John Jay and Alexander Hamilton, and the Virginian, James Madison. To commemorate this historic occasion, the Commission hosted a program at the New York County Courthouse, at which several distinguished speakers presented remarks bearing on the significance of the series and the role of the press in the ratification process. Participants included Floyd Abrams, Esq.; Fred W. Friendly, Director, Columbia University Seminars on Media and Society; Hon. David Dinkins, Manhattan Borough President; Hon. Edward I. Koch, Mayor of the City of New York, and Chief Judge Sol Wachtler.

* * * * *

"Abigail Adams" is a chamber opera composed by Hon. Richard Owens, who serves on the Federal District Court in Manhattan. The opera deals with the experience of our second president in the years of the Continental Congress and Revolutionary War and is drawn from Abigail's own letters. The Commission co-sponsored a well-received performance of "Abigail Adams" at the New York State Museum in late November.

* * * * *

The anniversary of Alexander Hamilton's birthday prompted a ceremony on the concourse of the Empire State Plaza on January 11, 1988. Gathered in front of a replica of the federal ship, "Hamilton," students from Albany's Giffen School presented thirteen sweet gum tree seedlings to Hon. Orin Lehman, Commissioner of the New York State Department of Parks, Recreation and Historic Preservation. The presentation commemorated Hamilton's planting of thirteen sweet gum trees at his Manhattan home, "The Grange," in honor of the ratification of the U.S. Constitution.

* * * * *

March 7, 1988, marked the 200th anniversary of the Town and County Acts that established more than 100 towns and sixteen counties in New York State. To honor those bicentennial communities, a program was organized by the Commission for the February 16 breakfast session of the annual convention of the New York State Association of Towns, with a keynote speech delivered by Hon. Judith S. Kaye of the New York State Court of Appeals. Complimentary copies of a special publication, *Community: Birthplace of Popular Consent*, were distributed at the meeting. The Commission also underwrote the installation on March 7 of a bronze plaque in Albany's Empire State Plaza, saluting the contributions of New York's towns to the ratification and development of the United States Constitution.

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As part of Capitol Days, the Commission joined with the New York State Capitol Commission in co-sponsoring an exhibit on the ratification sites of the thirteen original states. Installed in the Capitol's east wing, the exhibit has remained open to the public throughout our second year.

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A Law Day program held May 2 at the Court of Appeals included a ceremony at Albany's Academy Park, where a tree seedling was planted to commemorate New York's ratification of the Constitution. The ceremony again called on the students of Giffen School to participate.

* * * * *

On May 4, a premiere screening of "An Empire of Reason," a film produced by Middlemarch for the New York State Bar Foundation and the New York State Bicentennial Commission was held in New York City. "An Empire of Reason" tells the ratification story in today's language with contemporary celebrities and personalities. It is hosted by Governor Mario M. Cuomo and the Governor of the State of New Jersey, Hon. Thomas Kean. Replicating their eighteenth-century counterparts are New York City Mayor Edward I. Koch, who plays James Duane, and Chief Judge Sol Wachtler, who portrays John Jay.

The film's format recreates press conferences, "live" coverage of the ratification convention in Poughkeepsie, and delegate "interviews" conducted by Charlayne Hunter-Gault, Phil Donahue, and William F. Buckley, Jr. Walter Cronkite introduces the film.

Videotapes and teachers' guides of "An Empire of Reason," underwritten by New York Telephone Company, will be disseminated to every school district in New York State by the Law, Youth and Citizenship Program of the New York State Bar Association.

"An Empire of Reason" will air nationwide on public television July 13 at 10:00 P.M.

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A ratification celebration, underwritten by a grant from Merrill Lynch & Co., Inc., and organized by the New York 200 Celebration Committee, took place on May 10 and 11 at the Museum of the City of New York. The event was chaired by Mrs. Robert F. Wagner and William A. Schreyer. Proceeds benefit the Museum's exhibition, "The Reluctant Pillar: New York Ratifies the Constitution," May 11–July 31, and support the development of educational materials relating to the Constitution for New York's schoolchildren.

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Ratification Week

The culmination of months of planning by public officials, bicentennial chairpersons, historians, the legal community, students and teachers, representatives of the Governor's office, community leaders, and the staff of the New York State Bicentennial Commission occurs in Poughkeepsie during the week of July 23–30, 1988.

Organizations throughout the mid-Hudson region and beyond have planned to participate in one or more events scheduled during this week of commemoration, which will feature activities ranging from a riverside festival and regatta to a spectacular laser show played on the facades of Poughkeepsie's downtown buildings. The focus of the celebration draws attention to the Dutchess County courthouse, the site of the New York State ratifying convention in 1788. Plans to make the site an urban cultural park are in progress.

The Commission has been coordinating the statewide convention of our "Critical Choices" program (to be held at the Poughkeepsie Wyndham Hotel) with the Dutchess County Historian, Joyce Ghee, her colleague, Elayne Seaman, the mayor of Poughkeepsie, and the Dutchess County executive. They have taken up this challenge with skill and enthusiasm, and to them we extend our appreciation and admiration.

The convention delegates, numbering approximately 250 people from every region of the state, will hold plenary sessions and individual workshops where reports on New York's contemporary constitutional choices will be shaped. The program will be introduced by the Commission's chairman, Chief Judge Sol Wachtler, and include a transatlantic exchange with the Dean of Lincoln Cathedral, Lincolnshire, England, home of one of the few extant copies of Magna Carta. Governor Mario M. Cuomo will be the honored guest at the closing ceremony. The delegates also will have the opportunity to attend an eighteenth-century banquet, after which the humorist, Mark Russell, will perform.

The substantive recommendations of the convention will then be assembled, published, and distributed to the Governor, the members of the state legislature, and the presidential candidates. It is our hope that this citizen-convention report will contribute a valuable reflection of "grass roots" attitudes toward the perplexing and serious problems facing the Empire State today.

* * * * *

Biweekly television presentations by the executive director and the program director are featured by WTZA, Kingston. Five-minute interviews relating to New York's ratification history are regular installments on the Tudi Wiggins Show, which reaches a large regional audience.

* * * * *

Delegates to the 1938 New York State Constitutional Convention will be reunited for a segment on an upcoming program of WMHT's "Inside Albany." The Commission plans to honor these individuals, who are all well into their ninth decade.

Designated Bicentennial Communities & Campuses

May 1, 1988

Albany**
Albany County*
Altamont
Babylon
Ballston
Bayville
Bedford
Belmont
Binghamton*
Black Brook
Blooming Grove
Briarcliff Manor
Brighton
Broadalbin
Bronx*
Bronx Community College
Brookhaven
Brooklyn*
Broome County**
Brunswick
Buffalo*
Cambria
Cambridge
Canajoharie
Canandaigua
Cape Vincent (Town)
Cape Vincent (Village)
Caton
Cayuga*
Cattaraugus County*
Cedarhurst
Champion
Cheektowaga*
Chemung County*
Chester (Town)
Chester (Village)
Churubusco
Clifton Park
Clinton County*
Clinton
Cobleskill
College of Saint Rose
Colonie
Concord
Corning Community College
Cortland County*
Coxsackie
Dansville
Darien
Deferiet
Delaware County*
Deposit
Dobbs Ferry
Dutchess County**
East Aurora
East Fishkill
Eastchester
Elmira College
Elmira*
Empire State College
Ephratah
Essex County*
Floyd
Forestburgh
Fort Drum
Frankfort
Franklinville
Fulton County*
Galway
Gates
Genesee County*
Gerry
Gilbertsville
Glen Cove*
Gloversville
Gouverneur
Greenburgh
Greenwood Lake
Hague
Harrison
Hartwick
Hempstead
Hermon
Hofstra University
Hopkinton
Hornell
Hudson
Hunter College
Huntington
Hurley
Ilion
Islip*
Ithaca College
Ithaca**
Jamestown Community College
Java
Jay
Johnson City
Kent
Kinderhook
Kingston*
Kirkland
Lake George (Town)
Lake George (Village)
Lake Luzerne
Larchmont
Lisle
Lockport*
Long Island University
Lowville
Luzerne
Lynbrook
Madison County
Malta
Malverne
Mamaroneck
Manhattan, Borough of*
Marion
Marymount College
Mater Dei College
Mayfield
Milton
Mineola
Monroe County*
Montgomery County*
Montour Falls
Morristown
Mount Vernon
Mt. Pleasant
Nelsonville
New Castle
New Hampstead
New Rochelle
New York (County)**
Niagara County
Niskayuna
North Collins
North Greenbush
North Haven
North Hempstead*
North Salem
North Tonawanda
Northport
Old Brookville
Olean
Oneida County
Onondaga County*
Onondaga
Orange County*
Orangetown
Oswego County*
Oyster Bay*
Palermo
Patterson
Pawling
Pelham
Plattsburgh
Poestenkill
Pomona
Port Chester
Port Jervis
Port Leyden
Potsdam
Poughkeepsie (City)**
Poughkeepsie (Town)
Prattsburg
Putnam County*
Queens County
Rensselaer County*
Rensselaerville
Richmond, Borough of
Richville
Rochester**
Rockland County
Round Lake
Roxbury
Rye Brook
Rye
SUNY College at Cortland
Saint Joseph's College
Salamanca
Saratoga County*
Saratoga Springs
Scarsdale
Schenectady County*
Schenectady*
Schoharie County
Schuyler County*
Seneca Falls
Skaneateles
Smithtown*
Somers
Somerset
South Glens Falls
Southeast
Southampton
Southold
Spafford
St. Johnsville
Stillwater
Stockholm
Stratford
Suffern
Suffolk County*
Sullivan County*
Sullivan County Community College
Syracuse**
Tioga County*
Tompkins County*
Tonawanda
Tuckahoe
U.S. Military Academy
Ulster County
Union
Utica*
Utica School of Commerce
Vernon
Vestal
Waddington (Town)
Waddington (Village)
Walworth
Wappinger
Warsaw
Warwick
Watervliet
Wawarsing
Weedsport
Wellsville
West Seneca
Westchester County**
Western
Westhampton Beach
Whitestown
Whitney Point
West Seneca
Williamson
Wilson
Wilton
Wyoming County*
York
Youngstown

*Received Local Assistance Grant
**Received Local Assistance Grant and "Critical Choices" program administration grant.

COMMEMORATING 200 YEARS of The Constitution and The Bill of Rights

Programs of the
New York State Bicentennial Commission
1989

Introduction

Five years ago, Americans began to prepare an agenda for commemorating the historic events, documents, and individuals who laid the foundations of our country. Former Chief Justice Warren E. Burger of the United State Supreme Court appealed to all fifty states to design and implement programs honoring the drafting of the United States Constitution, its subsequent ratification, the establishment of the national government, and the adoption of the Bill of Rights. In his capacity as chairman of the U.S. Bicentennial Commission, the former chief justice urged an in-depth, substantive examination of the period that encompassed first our independence and then the formation of our federal system.

Recognizing the significance of those events, the New York State Legislature responded by establishing the New York State Bicentennial Commission, by assigning specific responsibilities to it, and by allocating funds for the programs and personnel needed to carry out those responsibilities.

The New York State Bicentennial Commission welcomes the opportunity to complete the third and final year of its legislative program and to fulfill its mandate, "to promote and coordinate activities commemorating the bicentennial of the U.S. Constitution and the role of New York State in its adoption." The bicentennial of the Bill of Rights, the establishment of the national government, and New York City's role as the first federal capital provides an irreplaceable "window of educational opportunity" to provide New Yorkers of all ages with materials, activities, and local assistance for getting involved and staying involved in citizenship—the best way of celebrating the bicentennial of our constitutional system.

Congress approved a proposed Bill of Rights on September 25, 1789, and sent those proposals to the thirteen original states for ratification. The Bill of Rights took effect on December 15, 1791, when Virginia became the eleventh state to ratify it. New York ratified on February 4, 1790, and can justly claim a substantial share of the credit for their attachment to the United States Constitution. It was through the efforts of New York's governor, George Clinton, and other Antifederalists that the drive for fundamental individual protections maintained its momentum and was manifested in the Bill of Rights.

Indeed, New York State's role in the adoption of the U.S. Constitution and the establishment of the national government cannot be understood without reference to the importance of the Bill of Rights in the ratification process and to the operation of the government.

As this briefing demonstrates, the Commission is enthusiastic and dedicated to carrying out its mandate of enhancing citizenship education and constitutional awareness by every legitimate means and without reference to time clocks.

We look forward to cooperating with you in bicentennial programming for 1989.

Stephen L. Schechter
Executive Director

What is the Mandate of the Commission?

The New York State Bicentennial Commission was established by Chapter 261 of the Laws of 1986, effective July 1, 1986. It is governed by a thirteen-member Commission chaired by the Hon. Sol Wachtler, Chief Judge of the State of New York. Its members serve without compensation, but they receive reimbursement for expenses incurred in the performance of their duties.

As stated in its enabling legislation, the purpose of the Commission is to promote and coordinate activities commemorating the bicentennial of the United States Constitution and the role of New York State in its adoption. The Commission expires on December 31, 1989.

It is clear from its implementing legislation, the special charge by its chairman, and its own policies that the Commission is mandated not to function as a commemorative special-events house but as a multi-service state agency utilizing the bicentennial opportunity to develop real programs addressing the real needs of citizenship education at all ages in the state.

How Does the Commission Accomplish its Mandate?

The Commission pursues its mandate in several basic and inter-related ways: (1) Community-based programs and media projects, increasing civic literacy and constitutional awareness among the general public and increasing media awareness about the bicentennial and its substantive merits; (2) special projects and professional training programs with active publics, such as local community leaders, teachers, cultural and historical resource managers, and members of the legal community, increasing their interest in and capacity to develop community programs on an ongoing basis; (3) elementary and secondary educational programs aimed at enhancing the teaching of the American constitutional experience and the contributions of New York and New Yorkers; (4) publications, ranging from elementary-education material to general-reference works, providing teachers and others with material needed to continue programs and leaving a legacy for future generations of New Yorkers; (5) local assistance, providing municipalities, schools, and nonprofit educational organizations with funding needed to develop their own programs of citizenship education and Constitution awareness, thereby extending and deepening the implementation of the Commission's mandate; and (6) staff work providing the needed community support, networking, and technical assistance by telephone, correspondence, and presentations around the state.

The model is simple: Special events draw out members of the media who cover events discovered by a wider circle who learn about or receive reinforcement from our work. At the same time, we attempt to activate these attentive members of the general public (e.g., community leaders and teachers) at several levels, first by providing information on our work, next by developing learning opportunities for them, then by providing programs and materials aimed at enhancing their own teaching or community programs, and by providing local assistance funds for those capable of generating programs of their own.

Bill of Rights Planned Activities for 1989

The New York State Bicentennial Commission plans various activities in 1989 (our last year) commemorating the 200th anniversary of the Bill of Rights. The following activities have been proposed in our budget request for 1989, subject to legislative approval.

1) CRITICAL ISSUES will be our primary Bill of Rights Program for 1989. It is patterned after our CRITICAL CHOICES Program of 1988, which commemorated the ratification by New York State of the U.S. Constitution. CRITICAL ISSUES is a community-based program designed to engage New Yorkers of all ages in a lively, yet serious debate on current Bill of Rights issues facing New Yorkers today. The following activities are contemplated:

a) Town meetings, thirty to forty around the State in the summer of 1989, debating issues, making resolutions, and sending a delegation with those resolutions to a state congress described below;

b) A state congress to be held September 17–19, 1989, in Albany, bringing together delegations from around the state to debate resolutions and make final recommendations for presentation to the governor and the legislature of New York State;

c) Citizenship Day activities on September 17, coinciding with the opening of the state congress and including special events and exhibits in Albany on the Bill of Rights;

d) Student Leadership Program involving high school seniors from around the state in a leadership program co-sponsored with Empire State College and including a student leadership conference in September of 1989, as a pilot project for the future;

e) Handbooks for community leaders and teachers, enabling them to plan and implement CRITICAL CHOICES in 1989 and thereafter.

2) ***Bill of Rights Working Conference*** on April 10–12, co-sponsored with the Law, Youth and Citizenship (LYC) Program of the New York State Bar Association and the New York State Education Department, designed to develop, for publication, concepts, and activities on the Bill of Rights for schools and communities.

3) ***Journey to Freedom***, portrayals of New York civil rights advocates Sojourner Truth and Frederick Douglass in a live, one-hour production scheduled to tour the state after its debut at the Black and Puerto Rican Caucus Dinner on February 19, 1989.

4) ***Equal Rights and Worker Rights***, a special initiative in cooperation with the State Labor Department, AFL-CIO, New York State United Teachers, and the Building and Construction Trades Council, developing educational materials, increasing awareness about our own state constitution as a protector of individual rights, in this instance regarding its unique provisions on worker rights.

5) ***The Forgotten Partners***, a book of original essays on the role of the states and New York, in particular, in the origins and adoption of the U.S. Bill of Rights.

6) ***With Liberty and Justice for All***, a teacher-training program undertaken in cooperation with the Imagination Celebration of the New York State Alliance for Arts in Education.

7) ***Fundamentals of Freedom***, a teacher-training program undertaken in cooperation with LYC and involving shared programs and ideas with (6) above.

8) ***"A trust . . . to our children": New York and the Bill of Rights***, an exhibit in the New York State Capitol on the role of New York State in the origins and adoption of the Bill of Rights, undertaken in cooperation with the N.Y.S. Library, State Archives, the State Office of General Services, and the Governor's Office.

9) ***Bill of Rights Forums***, a bimonthly series of noontime panels on contemporary Bill of Rights issues.

10) ***Equality Under the Law***, a collection of essays tracing critical turning points of gender and race relations in New York State constitutional history.

11) ***Local Assistance Program***, including a special emphasis on grant applications relating to the Bill of Rights in commemoration of its 200th anniversary (a multi-year period beginning with its drafting in September of 1789 and concluding with its ratification in December of 1792).

Additional Commission Programs for 1989

- Parade Float, "Hamilton," a replica of the original which appeared in the constitutional parade of 1788, loaned with accompanying educational material to communities for their constitutional parades and fairs (year-long);
- *Living Together Under the Law*, an elementary-education law guide prepared by the LYC and sent to every elementary teacher in the state with the assistance of the Commission as the base-line book of our elementary school program
- Washington's Birthday, opening a Commission-supported exhibit at the Museum of the City of New York on George Washington and his presidency in New York City, and providing an opportunity to announce statewide plans for the bicentennial celebration of Washington's Inauguration (February 22);
- "First Ladies of New York State," an exhibit and educational program on Cornelia Clinton and Sarah Jay, the first two "First Ladies" of New York State, and their role with other women of influence in the American constitution-making experience (opening March 22, 1989, Women's History Month);
- First Federal Congress travelling exhibit and educational program, co-sponsored with the U.S. Second Circuit and the Capitol Historical Society, on the many accomplishments of the first session of Congress meeting in New York City (opening April 6);
- Washington's Inauguration, thirty to forty high school and community performances around the state of a musical program, "Inauguration Cantata, 1789," co-sponsored with the New York State Masons, commemorating the 200th Anniversary of the Inauguration of George Washington (April 30);
- Law Day activities, including a special program at the New York State Court of Appeals (May 1);
- *Teaching State Constitutions*, a teaching guide for high school teachers on how to incorporate the New York State Constitution into their curriculum (summer);
- *Teaching the Constitution Through the Arts*, a publication bringing together the results of our program, "Fundamentals of Freedom" and "With Liberty and Justice for All," in an activities book designed to supplement *Living Together Under the Law*;
- Citizenship Day, activities in Albany and around the state, supporting the bicentennial of the Bill of Rights and the "Critical Issues" program which is the centerpiece of that celebration (September 17);
- "Toward the Fourth Century of Courts and Constitutions in New York," development of materials for the Commission of the New York Judiciary Act of 1691 and the charters of liberties of the 1680s and 1690s;
- Other publications, including *Well Begun: Chronicles of The Early National Period*, a book for the general public on the establishment of the national government in New York City; *Documentary History of the New York State Constitution*, a general-reference work bringing together all New York State Constitutions in a single volume; *World of the Founders*, a book of essays on late eighteenth-century New York and its communities; *Turning Points*, a book of essays on critical turning points in the constitutional history of New York State in the Union; *Living Together Under the Law II*, the second in a two-part series of elementary-education law guides.

Highlights of the Commission's 1988 Program

A quick review of major Commission events of the past year illustrates the wide-ranging scope of the communities we serve.

- Local Assistance: Competitive grant program for activities and programs relating to the role of New York State in the drafting, adoption and ratification of the U.S. Constitution.
- Women's History Month: Forum on women's issues. Hon. Judith Kaye, Associate Judge of the New York State Court of Appeals, guest speaker. March 1988.
- Exhibitry: "The Reluctant Pillar" at the Museum of the City of New York, March-May 1988. Three-month exhibition featuring the key figures and events in New York and elsewhere during the ratification period; "Bridge to Liberty" triptych: New York's constitutional heritage, designed for bicentennial communities, libraries, historical societies; "In Full Confidence," New York's ratification of the U.S. Constitution, Executive Chamber, Summer 1988.
- Law Day Program at the Court of Appeals, May 1988. Special recognition for new citizens.
- Premiere screening of "An Empire of Reason," a film describing New York's ratification of the U.S. Constitution. Tapes of this production were distributed to schools throughout New York. May 1988.
- "Critical Choices: New York and the Constitution" Essay contest; eleven regional town meetings on April 1, and statewide convention on July 26, 1988, commemorating the bicentennial of New York's ratification of the U.S. Constitution. More than 4,000 New Yorkers participated.
- "Critical Choices" Leadership Conference: September 1988. Selected community leaders from around the state attended workshops and shared plans for forthcoming bicentennial activities.
- Schoolchildren in grades K-6 received an activity sheet for Citizenship Day, September 17. Participating classrooms received a poster.
- "Conversations With History." A 50th anniversary forum with delegates to the 1938 N.Y.S. Constitutional Convention. Open to the capital district community, November 3, 1988.
- Electoral College Program: Panel discussion of electoral college issues; journalists and high school students in a question-and-answer exchange; opening ceremonies of the New York State Electoral College, December 1988.
- Forum: "Free Speech in the Marketplace." Debate on First Amendment issues. Open to the capital district community. Assembly Parlor. November 1988.

NEW YORK STATE BICENTENNIAL COMMISSION

Designated Bicentennial Communities

Community/*County*

Albany/*Albany*
Albany County
Altamont/*Albany*
Babylon, Town of/*Suffolk*
Ballston, Town of/*Saratoga*
Bayville/*Nassau*
Bedford, Town of/*Westchester*
Bellmont/*Franklin*
Black Brook, Town of/*Clinton*
Blooming Grove/*Orange*
Briarcliff Manor, Village of/*Westchester*
Brighton/*Monroe*
Broadalbin, Town of/*Fulton*
Bronx Community College/*Bronx*
Brookhaven, Town of/*Suffolk*
Broome County
Brunswick, Town of/*Rensselaer*
Buffalo, City of/*Erie*
Cambria/*Niagara*
Cambridge, Town of/*Washington*
Canajoharie/*Montgomery*
Canandaigua/*Ontario*
Cape Vincent/*Jefferson*
Caton, Town of/*Steuben*
Cattaraugus County
Cedarhurst, Village of/*Nassau*
Champion, Town of/*Jefferson*
Cheektowaga, Town of/*Erie*
Chemung County
Chester, Town of/*Orange*
Chester, Village of/*Orange*
Churubusco/*Clinton*
Clifton Park, Town of/*Saratoga*
Clinton County
Clinton, Town of/*Clinton*
Clinton, Town of/*Dutchess*
Cobleskill, Village of/*Schoharie*
Colonie/*Albany*
Concord/*Erie*
Cortland County
Coxsackie/*Greene*
Dansville, Village of/*Livingston*
Darien/*Genesee*
Deferiest, Village of/*Jefferson*
Deposit/*Broome*
Dobbs Ferry, Village of/*Westchester*
Dutchess County
East Aurora, Town and Village/*Erie*
East Fishkill/*Dutchess*
Eastchester, Town of/*Westchester*
Elmira, City of/*Chemung*
Ephratah/*Fulton*
Essex County
Floyd, Town of/*Oneida*
Forestburgh, Town of/*Sullivan*
Fort Drum/*Jefferson*
Frankfort/*Herkimer*
Franklinville/*Cattaraugus*
Friendship, Town of/*Allegany*
Galway, Town of/*Saratoga*
Gates, Town of/*Monroe*
Geneseo/*Genesee*
Gerry/*Chautauqua*
Gilbertsville, Village of/*Otsego*
Glen Cove/*Nassau*
Gloversville/*Fulton*
Gouverneur, Town of/*St. Lawrence*
Greenburgh, Town of/*Westchester*
Greenwood Lake, Village of/*Orange*
Hague, Town of/*Warren*
Harrison, Town, Village of/*Westchester*
Hartwick, Town of/*Otsego*
Hempstead, Village of/*Nassau*
Hermon, Village of/*St. Lawrence*
Hopkinton/*St. Lawrence*
Hornell, City of/*Steuben*
Hudson, City of/*Columbia*
Huntington, Town of/*Suffolk*
Hurley, Town of/*Ulster*
Ilion/*Herkimer*
Ithaca, City of/*Tompkins*
Java, Town of/*Wyoming*
Jay/*Essex*
Johnson City/*Broome*
Kent, Town of/*Putnam*
Kinderhook/*Columbia*
Kingston/*Ulster*
Kirkland, Town of/*Oneida*
Lake George, Town of/*Warren*
Lake George, Village of/*Warren*
Lake Luzerne, Town of/*Warren*
Larchmont, Village of/*Westchester*
Lisle/*Broome*
Lockport, City of/*Niagara*
Lowville, Town of/*Lewis*
Lynbrook, Village of/*Nassau*
Madison/*Madison*
Malta, Town of/*Saratoga*
Malverne, Village of/*Nassau*
Mamaroneck, Village of/*Westchester*
Marion, Town of/*Wayne*
Mayfield/*Fulton*
Milton, Town of/*Saratoga*
Mineola, Village of/*Nassau*
Monroe County
Montgomery County
Montour Falls, Village of/*Schuyler*
Morristown, Village of/*St. Lawrence*
Mount Vernon/*Westchester*
Mt. Pleasant/*Westchester*

Community/*County*

Nelsonville, Village/*Putnam*
New Castle, Town of/*Westchester*
New Hampstead, Village of/*Rockland*
New Rochelle, City of/*Westchester*
New York, City of/*New York*
Niagara County
Niskayuna, Town of/*Schenectady*
North Collins/*Erie*
North Greenbush, Town of/*Rensselaer*
North Haven, Village of/*Suffolk*
North Hempstead/*Nassau*
North Tonawanda, City of/*Niagara*
Northport, Village of/*Suffolk*
Old Brookville, Village of/*Queens*
Olean, City of/*Cattaraugus*
Oneida County
Onondaga County
Onondaga, Town of/*Onondaga*
Orange County
Orangetown/*Rockland*
Oswego County/*Oswego*
Oyster Bay, Town of/*Nassau*
Palermo, Town of/*Oswego*
Patterson, Town of/*Putnam*
Pawling/*Dutchess*
Pelham, Town of/*Westchester*
Perth, Town of/*Fulton*
Poestenkill, Town of
Pomona, Village of
Port Chester/*Westchester*
Port Jervis/*Orange*
Port Leyden/*Lewis*
Potsdam/*St. Lawrence*
Poughkeepsie, City of/*Dutchess*
Poughkeepsie, Town of/*Dutchess*
Prattsburg, Town of/*Steuben*
Putnam County/*Putnam*
Rensselaer County/*Rensselaer*
Rensselaerville/*Albany*
Richville/*St. Lawrence*
Richmond, Borough of
Rochester, City of/*Monroe*
Rockland County/*Rockland*
Round Lake, Village of/*Saratoga*
Roxbury, Town of/*Delaware*
Rye Brook, Village of/*Westchester*
Rye, City of/*Westchester*
Salamanca, City of/*Cattaraugus*
Saratoga County
Saratoga Springs, City of/*Saratoga*
Scarsdale, Village & Town of/*Westchester*
Schenectady, City of/*Schenectady*
Schenectady County
Schoharie County
Schoharie, Town of/*Schoharie*
Schuyler County
Seneca Falls/*Seneca*
Seneca, Town of/*Ontario*
Skaneateles, Village of/*Onondaga*
Smithtown, Town of/*Suffolk*
Somers, Town of/*Westchester*
Somerset, Town of/*Niagara*
South Glens Falls, Village of/*Saratoga*
Southeast, Town of/*Putnam*
Southampton, Town of/*Suffolk*
Southold, Town of/*Suffolk*
Spafford, Town of/*Onondaga*
St. Johnsville/*Montgomery*
Stillwater/*Saratoga*
Stockholm, Town of/*St. Lawrence*
Stratford, Town of/*Fulton*
Suffern, Village of/*Rockland*
Suffolk County
Sullivan County Community College/*Sullivan*
Syracuse, City of/*Onondaga*
Tioga County
Tompkins County/*Tompkins*
Tonawanda, City of
Tuckahoe, Village of/*Westchester*
Ulster, County of
Union, Town of/*Broome*
Utica, City of/*Oneida*
Vernon, Village of/*Oneida*
Vestal, Town of/*Broome*
Waddington, Town of/*St. Lawrence*
Waddington, Village of/*St. Lawrence*
Walworth, Town of/*Wayne*
Wappingers, Town of/*Dutchess*
Warsaw, Town of/*Wyoming*
Warwick, Town of/*Orange*
Watervliet, City of/*Albany*
Wawarsing, Town of/*Ulster*
Weedsport/*Cayuga*
Wellsville/*Allegany*
West Seneca, Town of/*Erie*
Westchester County
Western, Town of/*Oneida*
Westhampton Beach, Village of/*Suffolk*
Whitestown, Town of/*Oneida*
Whitney Point/*Broome*
Williamson, Town of/*Wayne*
Wilson, Town of/*Niagara*
Wilton, Town of/*Saratoga*
Wyoming County
York, Town of/*Livingston*
Youngstown, Village of/*Niagara*

Bicentennial Colleges

Albany/College of St. Rose
Bronx/Bronx Community College
Brookville/Long Island University
Corning/Corning Community College
Cortland/SUNY College at Cortland
Elmira/Elmira College
Hempstead/Hofstra University
Ithaca/Ithaca College
Jamestown/Jamestown Community College
Loch Sheldrake/Sullivan County Community College
New York/Hunter College
Ogdensburg/Mater Dei College
Patchogue/Saint Joseph's College
Purchase/Manhattanville College
Riverdale/College of Mount Saint Vincent
Rockville Centre/Molloy College
Saratoga Springs/Empire State College
Tarrytown/Marymount College
Troy/Russell Sage College
Utica/Utica School of Commerce
West Point/United States Military Academy

Bicentennial Schools

Amityville/Northwest Elementary School
Bronx/I.S. 180 at Truman High School
Bronx/Beth Jacob/Beth Miriam School
Brooklyn/P.S. 236
Brooklyn/Beth Rivka
Buffalo/North Park Academy
Dover Plains/Dover Elementary School
East Meadow/East Meadow High School
Lockport/North Park Junior High School
Locust Valley/Ann MacArthur Primary School
Locust Valley/Locust Valley Intermediate School
McGraw/McGraw Elementary School
Mt. Sinai/Mt. Sinai Elementary School
N. White Plains/Regional Alternative High School
New York/High School of Graphic Communication Arts
Ogdensburg/Grant C. Madill Elementary School
Owego/Oswgo Apalachin Middle School
Springfield Gardens/Springfield Gardens High School
Stony Point/Stony Point Elementary School
Valley Stream/Wheeler Avenue School
West Nyack/Clarkstown South High School
Whitestone/Junior High School 194 Queens
Yonkers/Gorton High School

Bicentennial Programs

American Indian Program at Cornell University
Arthur Finnegan Post 1443, The American Legion
Bicentennial of the Constitution Committee
Bronx Committee on the Celebration of the Bicentennial of the United States Constitution
Clarendon Historical Society
Colton Historical Society
Council for the Jay Coalition
Daughters of the American Revolution, Stockbridge Chapter
D'Youville College
Family Artists Theatre Enterprises
Franklin Square Historical Society
Hutchinson School
Leon Historical Society
Lewis County Historical Society
Lewiston Trail Council, Boy Scouts of America
Mayfield Junior-Senior High School
Monroe County Bar Association
Municipal Historians of New York State, North Country Region
The New-York Historical Society
New York Power Authority
New York State Retired Teachers' Association
Northport Historical Society
Town of Penfield
Queens College Preparatory Programs
Rayson-Miller Post No. 899, The American Legion
Richmond Masonic Association Inc.
Richmond County Bicentennial Commission
Sag Harbor Knights of Columbus
The Shields—Nassau County, Inc.
St. Paul's National Historic Site and the Bill of Rights Museum
Southern Adirondack Library System
Theatreworks/USA
Vacations and Senior Centers Assn., Inc.
Valley Stream High School District
WXXI, Rochester

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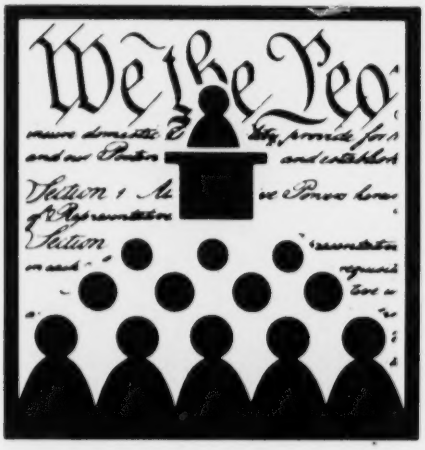
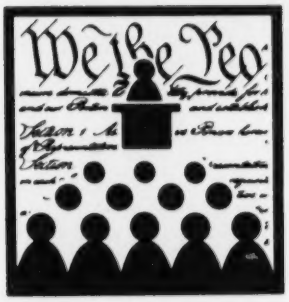
A Record of Achievement



Final Report

July 1, 1988—March 31, 1990

New York State Commission on the Bicentennial
of the United States Constitution



A Record of Achievement

July 1, 1988–March 31, 1990

INTRODUCTION

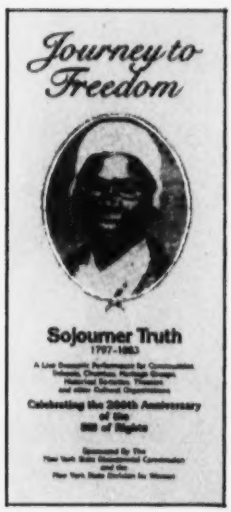
This report summarizes the activities and programs of the New York State Bicentennial Commission from July 1, 1988, to March 31, 1990.

The results of an aggressive outreach program were realized in our third year of operation. A reliable and dedicated corps of hundreds of educators, students, historians, librarians, and community leaders throughout the state responded favorably to our projects, replicated many successfully fieldtested in past months, and with the Commission's assistance, developed new projects.

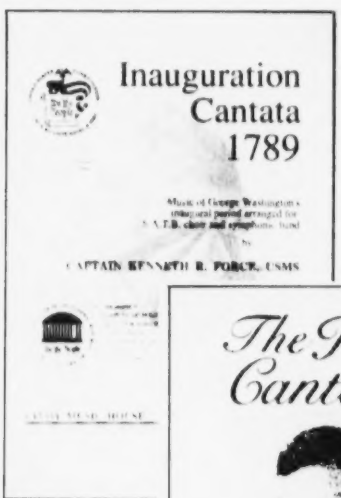
We continued to maintain close working relationships with many community, cultural, and educational institutions whose professionalism greatly increased our ability to accomplish our goals. Foremost among them are Empire State College, the Law, Youth and Citizenship Program of the New York State Bar Association and the New York State Education Department, the New York State Alliance for Arts Education/Imagination Celebration, the New York State AFL-CIO, the Grand Lodge, Free and Accepted Masons of New York State, the New York State Social Studies Council, and the New York State Legislature. This year, they shared with us an agenda that focused on the establishment of the national government and the drafting of the Bill of Rights. New York and New Yorkers played a significant role in both of these processes, and we have made that role the basis of our programs, activities, and publications for 1989-90.

As a result of these and other partnerships, New York is among the leading states in the development of bicentennial programs. Widely recognized for the professionalism and quality of its public programs, educational materials, and historical publications, the New York State Bicentennial Commission has clearly produced more worthwhile educational products on the bicentennial than any other state organization. This is a record to be proud of, especially in light of the fact that we were the forty-second state commission to be founded.

THE CONSTITUTION AND THE ARTS



Carole Parker and the cast of Suite/Sweet Love Productions performed in more than thirty locales throughout New York State. "Journey to Freedom" was underwritten by the Commission to commemorate the abolishment and civil rights movement in New York.



The Commission distributed thousands of piano-vocal scores for "Inauguration Cantata, 1789," and the "King Cantata" to high school music departments and cultural organizations throughout the state.

To reach a broad and varied audience, the Commission engaged in a number of arts-related projects in 1988 and 1989 that drew on the special creativity of writers, musicians, artists, actors, and dancers. This approach took our program beyond the academic and historical communities to places of worship, to civic and fraternal organizations, and to many educational, ethnic, or cultural groups often bypassed by "mainstream" networks.

Journey to Freedom is an example of this effort. Carole Parker and her associates, all professional actors and musicians, have given more than forty performances throughout New York State in 1989. "Journey to Freedom" is a dramatic presentation of historical and biographical material based on black civil rights leaders, including Dr. Martin Luther King, Jr., and New Yorkers Sojourner Truth and Frederick Douglass. Presented in song and dialogue, "Journey to Freedom" has been very well received and has continued its tour throughout 1989.

Inauguration Cantata, 1789 The Commission, with the cosponsorship of the Grand Lodge Free and Accepted Masons of the State of New York, arranged for the publication and distribution of "Inauguration Cantata, 1789," a seven-selection concert of hymns and marches contemporary with President George Washington's first inaugural period. The cantata had its official state performance at the Troy Music Hall on April 27, 1989. Under the direction of the arranger, Captain Kenneth R. Force, USMS, Music Director at the United States Merchant Marine Academy, Kings Point, the College of St. Rose Wind Ensemble accompanied a Capital District chorus of mixed voices. Chief Judge Sol Wachtler read the historical narration. "Inauguration Cantata, 1789," was also performed at a special ceremony in New York City on April 30, 1989, the 200th anniversary of President George Washington's inauguration, and at approximately thirty sites throughout New York.

King Cantata Captain Force also has arranged a cantata of several traditional American selections honoring the contributions of Dr. Martin Luther King, Jr., to the American constitutional experience. This cantata was published by the Commission in February 1990 and distributed to every high school music department in the state. Its premiere was held on February 25, 1990, at the Merchant Marine Academy. On March 4, 1990, a special performance was conducted at St. Andrew's Episcopal Church, Harlem.

Liberty and Justice for All Our long-standing association with the New York State Alliance for Arts Education/Imagination Celebration was renewed with the alliance's implementation of the project, "Through the Eyes of Children: Liberty and Justice for All." Dr. Vivienne Anderson and a team of talented arts educators challenged their students to interpret the United States Constitution in literary, visual, musical, and theatrical forms. The results of the statewide project, held in Albany and at nine other mini-Imagination Celebrations sites throughout 1989, were published in a photo-essay of the same title. Imagination Celebration participants also took part in Law Day (May 2, 1989) ceremonies at the Court of Appeals in Albany.

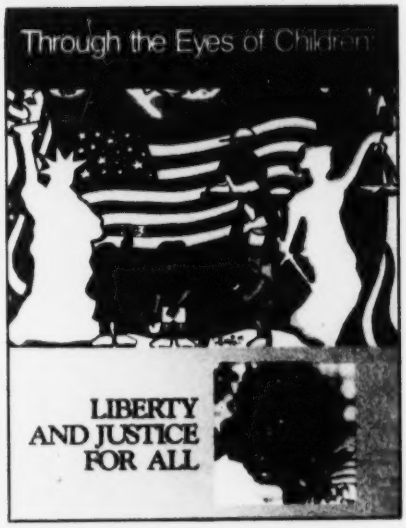
Birth of the Nation: The First Federal Congress, 1789–1791 is the title of a travelling exhibit underwritten by the Commission and co-sponsored with the Federal Bar Council, the U.S. Capitol Historical Society, and the Second Circuit Bicentennial Committee. Produced with the assistance of the First Federal Congress Project of The George Washington University, this exhibit examines the formation of our national government, identifies the key figures who dominated its inception, and cites the significant documents that guided its development. The multi-panel "Birth of the Nation" exhibit was displayed during 1989 in a variety of public buildings throughout the state, after opening on April 24 in the United States Courthouse at Foley Square in New York City. The Commission has also distributed complimentary copies of a book bearing the same title by Charlene Bickford and Kenneth Bowling to all public libraries in New York State, as we do with all of our books.

A trust . . . to our children This illustrated, twelve-page brochure depicts the origins and adoption of the Bill of Rights by New York State, beginning with documents and events of New York's colonial history and concluding with ratification resolutions and instruments. "A trust . . . to our children" was mailed in February 1990 to schools throughout the state. In addition, the Commission produced a 1990 calendar commemorating New York's contributions to the development of the Bill of Rights which was distributed to 10,000 teachers throughout the state in December 1989.

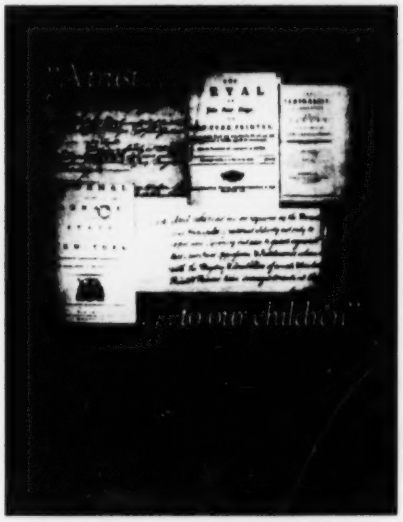
Living Together Constitutionally is an elementary-school teacher guide based on children's literature and the themes of the Pledge of Allegiance; i.e., sharing rights and responsibilities, making choices by the rules, unity through diversity, and liberty and justice for all. Components include historical overviews, bibliographies, and discussion topics. *Living Together Constitutionally* will be available in 1990.

A poster contest sponsored by the Commission and Assembly Speaker Mel Miller took place in May 1989. Elementary school children were asked to portray their interpretations of the Bill of Rights. Speaker Miller presented awards to the winners at a ceremony in the Capitol.

Many proposals submitted for our local assistance program also reflected constitutionally related themes expressed through the arts. For further information on these proposals, see "Local Assistance" elsewhere in this report.



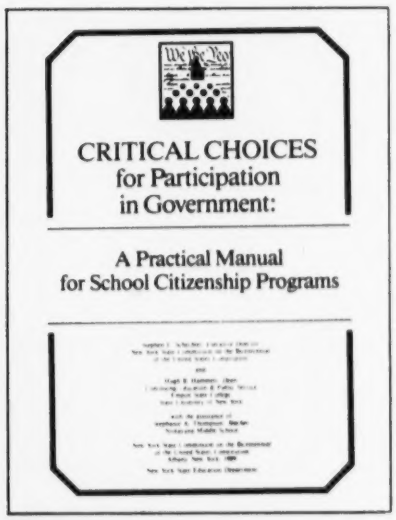
Through the Eyes of Children: Liberty and Justice for All *records the efforts of young people in grades 4–8 to address the themes of the Pledge of Allegiance through the literary, visual, and performing arts.*



Copies of A trust . . . to our children *were mailed to New York's seventh- and eleventh-grade social studies teachers. This twelve-page brochure chronicles the origins and adoption of the Bill of Rights in New York State.*

BEST COPY AVAILABLE

THE CONSTITUTION AND THE CLASSROOM



"Critical Choices" manuals provide detailed "how-to" instructions for organizing a town meeting.

The arts can enrich the teaching of the Constitution, but the arts cannot replace other approaches to topics of constitutional awareness and citizenship education. Other school programs of the Commission undertaken in 1989–90 are summarized below.

First Ladies of New York State: The Constitutional Era is the title of a packet of teaching materials distributed to all seventh-grade teachers in New York State in support of Women's History Month (1989 and 1990). Cornelia Tappen Clinton (Mrs. George Clinton) and Sarah Livingston Jay (Mrs. John Jay) are the subjects of this publication, which includes a four-color poster, a study guide, a letter from Matilda Cuomo (Mrs. Mario M. Cuomo), and a bibliography.

Critical Choices in the Schools is a participatory educational activity developed as part of our statewide "Critical Choices" program introduced in 1988 to commemorate New York's ratification of the U.S. Constitution. This program allows twelfth-grade "Participation in Government" and other interested students to identify, select, research, debate, and report issues with constitutional implications in a "town meeting" format. A standardized methodology with step-by-step instructions, available to all teachers, is presented in the Commission's handbook, *Critical Choices for Participation in Government: A Practical Manual for School Citizenship Programs*. In conjunction with this effort, Empire State College and the New York State Bicentennial Commission established the *"Critical Choices" Leadership Program*, a one-year college-level experience for high school seniors. Thirty-five students were selected for this program, which began with a four-day residency in Albany in September 1989. College faculty supervised substantive course work during the fall and spring semesters, and students organized a "Critical Choices" Town Meeting in their home schools. Upon successful completion of the program, Empire State College will award each participant four undergraduate credits.

A town meeting program also was developed for elementary-school students. With a Commission grant, the South Colonie School District had nearly 3,000 children debate issues in their schools and sent delegates to a "Critical Choices" Convention at the New York State Assembly Chamber in Albany.

The Constitution: Our Written Legacy In-service courses provide opportunities for the Commission to present materials to classroom teachers in a concentrated, distraction-free setting. Throughout the

second half of 1989, more than ten workshops were held in key regions of the state on "The Constitution: Our Written Legacy." Undertaken in cooperation with the National Constitution Center, Philadelphia, these courses provided teachers with the information and skills needed to use constitutional documents in their teaching.

Clinton Conference 1989 marked the bicentennial of the drafting of the Bill of Rights and the 250th anniversary of the birth of George Clinton, New York State's first governor and two-term vice president of the United States. As a champion of the Bill of Rights, George Clinton was honored at a ceremony rededicating his monument at the Reformed Dutch Church in Kingston, September 23, 1989. This occasion offered an opportunity to co-sponsor a working conference, "George Clinton in Retrospect," with Assemblyman Maurice D. Hinchey (D-101st District). Teachers throughout the state received brochures announcing the conference's competitive selection process; a workshop, "Clinton in the Curriculum," was organized by Project C.A.P.A.B.L.E., City of Kingston Schools, Consolidated. Further information on this conference may be found in the Publications section of this report.

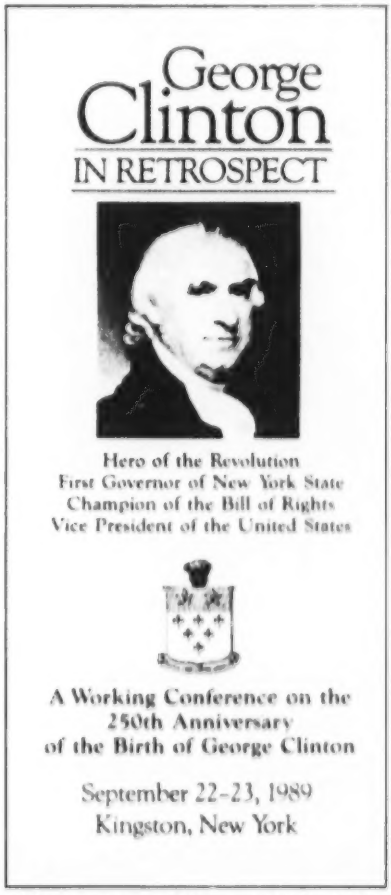
West Point Teacher Conference The United States Military Academy at West Point hosted a teachers' conference in the summer of 1989 on "Congress and the Executive—The Establishment of the National Government." This conference was co-sponsored by the Commission and the Law, Youth and Citizenship Program of the New York State Bar Association. Bringing teachers together from around the state, it utilized a "turnkey" approach which trained these teachers to replicate conference findings in regional workshops on their return home.

Labor Legacy Project With the cooperation of the New York State Labor Department, the AFL-CIO, New York State United Teachers, and the Building and Construction Trades Council, the Commission formed a Labor Legacy Committee which developed materials commemorating the fiftieth anniversary of the "Worker Bill of Rights" in the New York State Constitution. The materials include a teacher guide, (*The Working Teenager*), book covers, and posters, and were disseminated in the fall of 1989 and spring of 1990 to occupational education teachers.

Bill of Rights Exhibits The Commission joined with the New York State Humanities Council in a major 1989 program in which mini-exhibits on the Bill of Rights have been awarded to 100 schools across the state. Each exhibit consists of twelve posters affixed to three free-standing kiosks modeled after the successful exhibit, "Blessings of Liberty," sponsored by Project '87.

Teleconference The Commission offered grants to local social studies councils for the purpose of developing and producing teaching aids based on a nationally televised program of the National Council for the Social Studies devoted to citizenship in the twenty-first century. The New York State Council for the Social Studies co-sponsored this effort.

South Colonie School District elementary student delegates held a "Critical Choices" town meeting in the Assembly Chamber of the New York State Capitol. Dr. Maryanne Malecki coordinated this program, which involved nearly three thousand students.



The Commission co-sponsored "George Clinton in Retrospect," a conference which marked the 250th anniversary of the birth of New York State's first governor and the 200th anniversary of the drafting of the Bill of Rights. The conference program appears above.

PUBLICATIONS

New in 1989–90 are several titles that examine both New York State's constitutional history and the contributions of New Yorkers to the development of our national constitution. Released to coincide with the 200th anniversary of George Washington's inauguration (April 30, 1989), *Well Begun: Chronicles of the Early National Period*, edited by Stephen L. Schechter and Richard B. Bernstein, is a collection of fifteen essays that provide an overview of the founding of our national government. In addition to biographical studies of New Yorkers influential in this process, *Well Begun* opens with a contribution by the late Richard Morris and includes articles on New York City as the first federal capital, on the accomplishments of the first federal Congress, and on George Washington as president.

World of the Founders: New York Communities in the Federal Period, edited by Stephen L. Schechter and Wendell Tripp, uses community studies to describe New York's late eighteenth-century milieu. Essays are contributed by Stefan Bielinski (Albany), Jessica Kross (Newtown, L.I.), Leo Hershkowitz, (New York City), Kenneth Bowling (New York City), Jacob Judd (New York manors), and William Siles (the western New York frontier). *World of the Founders* was published in June 1990.

The Documentary History of New York State Constitutions compiles all of New York's state constitutions (1777–1967) and provides introductory material that examines the highlights and special features of each constitutional convention. This title will be published by Greenwood Press in 1990 as a companion to *The New York State Constitution: A Reference Guide* (Westport, Ct.: Greenwood Press), forthcoming.

New York and the Union compiles more than ninety looseleaf Commission publications. Available in June 1990, this volume includes many of the Commission's topical and biographical essays (*New York Notes*). Its companion volume, *New York and the Bicentennial* collects study guides, teaching aids, program materials, conference papers, and annual reports.

In *Contexts of the Bill of Rights*, Donald Lutz (University of Houston) and John Kaminski (University of Wisconsin–Madison) examine the origin and adoption of the Bill of Rights. Gaspare Saladino (University of Wisconsin–Madison) contributes a comprehensive bibliographic essay on recent constitutional scholarship. Of special interest in this publication is the role of state constitutions and state Antifederalists in the origins and adoption of this national document.

Commission subventions also made possible the following publications: *The Federalist Papers* (Madison, WI: Madison House, 1990) brings together the contemporary opinions of the greatest American treatise on

government; *A Great and Good Man: George Washington* (Madison, WI: Madison House 1989), includes essays, poems, and other literary tributes to our first president; *In Search of a Usable Past: An Examination of the Origins and Implications of State Protections of Liberty* (Athens, GA: University of Georgia Press, 1990); *Liberty and Justice for All: The Foundations of Freedom* (Albany, New York State Bar Association, 1989); *The Origins of American Constitutionalism* (Baton Rouge; Louisiana State University Press, 1989); *State Constitutional Law: Cases and Materials* (Washington, D.C.: U.S. Advisory Commission on Intergovernmental Relations, 1989); *A People in Revolution* (New York, 1989); *George Clinton: Yeoman Politician of the New Republic*, a biography on New York's first governor (Madison, WI: Madison House, 1990); *Where the Experiment Began*, the official commemorative book of the New York City Bicentennial Commission (1989); and *Freedom of Speech*, a special issue of a teacher guide prepared for the National Issues Forum (Dubuque, IA: Kendall Hunt, 1989).

Capital Resources identifies, compiles, and describes the facilities, activities, and resources associated with state and local government in Albany. John Polnak of the New York State Capitol Restorations Commission wrote this guide which will serve as an aid for teachers, students, researchers, cultural and historical agencies, and the public at large. Publication is expected in 1990.

NEW YORK
DELEGATE
Commemorating the Bicentennial of the United States Constitution
VOLUME I, NO. 5 SEPTEMBER 198?

Commission Unveils Ratification Year Program

Eleven regional "host states," assembled by conference coordinators at Empire State College, met at Saratoga Springs on September 14 and 15 to begin phase one of the New York State Bicentennial Commission's project, "Constitution and Community: The Ratification." The project, a major Commission-assisted effort for 1988, is designed to work with local and county governments coordinating New York State's July 26, 1788 ratification of the United States Constitution.

The six person teams, representing historical groups, service organizations, business, academic, and local government, attended technical and substantive workshops at the Ramada Renaissance and shared ideas with historians, educators, and special events organizers. Conference speakers included New York Times columnist, Tom Wicker.

From October 1987 to January 1988, the host teams will enter activities within their respective regions, including a one day regional technical assistance conference for community planners to obtain suggestions, and resources especially for those hosts the approximately one hundred towns that will be celebrating their bicentennials in March 1988. Public participation projects also sponsored by host teams will focus on Ratification Month, June 17-July 26, 1988.

Eligibility for local assistance grants is open to all counties, the five boroughs of the City of New York and all towns within a 1980 population of at least 24,000 residents. Applications, which have been mailed to all appropriate local elected officials, must be submitted by December 6, 198?

Recognition of New York's bicentennial towns begins in January and culminates at the Association of Towns meeting in February, where ceremonial and commemorative activities are planned. For further information about the Commission and Constitution project, contact Ron Spickard, Local Government Liaison, at the New York State Bicentennial Commission, (212) 40100, Empire State Plaza, Albany, NY 12230 (518) 473-4646.

Tom Wicker
New York Times

From the Director

The Commission has received for its hundred days, not only because it was written as well as Philadelphia, but also because it was delivered on completely in the states and submitted on time for the two hundred years.

From May 25 to September 17, 1987, we celebrated the drafting of the Constitution by delegates who met in the Constitutional Convention in Philadelphia during the long, hot summer of 1787. The celebration of this accomplishment culminated on Constitution Day, September 17, with celebrations in Philadelphia and across the country.

September 17, however, was only the beginning of the commemoration marking the process two hundred years ago, and I urge readers of the Delegate to ensure that the commemoration of the Constitution in this year does justice to our contributions to that document.

Following the "miracle in Philadelphia," the proposed Constitution was sent to the states for ratification. This was not a routine matter. The significance is so important because it provided the only opportunity for public debate and popular consent in the thirteen original states and their constituencies. Here in New York State, the debate was longer and more intense than in most states, providing an unprecedented opportunity for public involvement in the most fundamental issues of the day.

Over the coming months New York city will have an opportunity to celebrate the debate of popular consent, the many faces of republican principles, and the role of this state in maintaining that ideal since it took "the step" into the future which removed monarchy, established limited government, and created representation. Not a dull and meaningful debate over the words and in many communities, which elected delegates were argued and where one other were made.

October 27, 1987, marks the official beginning of the celebration, but it was on that date two hundred years ago that the first of The Federalist papers was published in New York City to convince the voters of New York State to support the adoption of the Constitution. The first paper, which was written by Alexander Hamilton, was remarkable, that it was the first of a series of 85 papers to clarify the basis of political consent. It has frequently been remarked, that it would be hard to imagine in the present time, when the people of this country are called upon to decide the democratic question of whether they will support or oppose a new, or even existing, grand government, that there would be no newspaper willing to publish a series of lengthy essays explaining the pros and cons of the issue. Yet, that is precisely what happened in the fall of 1787, when the people of New York State were debating whether to approve a public debate over the current state of the American

A "first" for teachers of "Introduction to Occupations" in the occupational education curriculum, The Working Teenager *teaching guide provides five lessons on teen worker rights based on real and theoretical case studies. This publication emerged from a venture cosponsored by the Commission that commemorated the fiftieth anniversary of the 1938 New York State Constitutional Convention which adopted an amendment that came to be known as the "Worker Bill of Rights." Other cosponsors of* The Working Teenager *are the New York State AFL-CIO, the New York State Building and Construction Trades Council, New York State United Teachers, the New York State Department of Labor, the New York State Education Department, the New York State Occupational Information Coordinating Committee, and the New York State Workers' Compensation Board. More than 2,000 teachers received complimentary copies of* The Working Teenager.

Declaracion de Derechos

ENMIENDAS

Estas diez primeras Enmiendas o artículos se propusieron el 25 de Septiembre de 1789, y se declararon en vigor el 15 de Diciembre de 1791. Hoy se las conoce con el nombre de DECLARACION DE DERECHOS.

ARTICULO I

Se guardará el Congreso de promulgar ley alguna que proíbaa el libre culto de la religión y el libre ejercicio de la misma, así como de despojar al ciudadano de la libertad de expresión o de prensa o del derecho a reunirse pacíficamente o a exigirle al Gobierno compensación por agravios.

ARTICULO II

No se vedará al pueblo su derecho a mantener una milicia bien organizada, tan necesaria para salvaguardar la seguridad de un Estado libre, así como tampoco su derecho a guardar y portar armas.

ARTICULO III

No en tiempo de paz ni de guerra se podrá alojar a ningún soldado en casa ajena sin contar para ello con el consentimiento de su propietario, salvo en la forma prescrita por la ley.

ARTICULO IV

No se violará el derecho del ciudadano a proteger su persona, morada, documentos y demás bienes, así como el de rechazar registros en su propiedad y embargos desmedidos. No se emitirán órdenes de registro de ninguna propiedad sin que exista causa justificada y sin que sean apoyadas por juramento o afirmación, y describiendo en todo caso con particular detalle el lugar que se ha de registrar, así como las personas o cosas que hayan de ser objeto de embargo.

ARTICULO V

A ninguna persona se le exigirá dar cuenta de un delito capital o infame salvo en presencia de un Gran Jurado de acusación, excepto en aquellos casos que surjan en las fuerzas terrestres y marítimas o en la propia milicia en tiempos de guerra, o cuando se halle en peligro la seguridad nacional. De igual forma, ninguna persona será procesada mas de una vez por el mismo delito, ni se le exigirá en ningún caso criminal un testigo contra sí misma, ni se la privará de su derecho a la vida, a la libertad ni a la posesión de sus bienes, sin someterla al debido procedimiento judicial. Tampoco se podrá despojar al ciudadano de su propiedad para uso del Estado sin la debida compensación.

ARTICULO VI

En todos los procesos criminales el acusado tendrá derecho a que se le enjuicie públicamente y sin demora, y el juicio habrá de celebrarse ante un Jurado imparcial del Estado y de la misma jurisdicción bajo la cual dicho delito se haya cometido, jurisdicción que será previamente determinada por la ley. Asimismo, el acusado tendrá derecho a que se le informe debidamente de la causa de su acusación, a ser carado con el testigo que le acusa, a obtener un testigo de descargo y, por último, a contar con los servicios de un abogado para su defensa.

ARTICULO VII

En todos los litigios de derecho consuetudinario en los cuales el valor controvertido sobrepase los veinte dólares, habrá de preservarse el derecho a juicio por Jurado, y nada de lo que en dicho juicio se diga o haga podrá volver a examinarse en ningún otro tribunal de los Estados Unidos, salvo cuando se haga de conformidad con las normas del propio derecho consuetudinario.

ARTICULO VIII

No se exigirán fianzas ni se impondrán multas excesivas ni se infligirán castigos crueles o inusuales.

ARTICULO IX

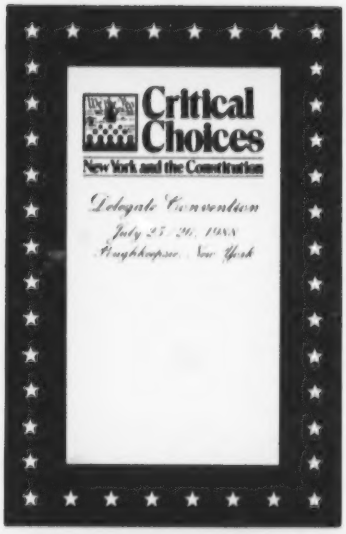
No habrán de interpretarse ciertos derechos que establece esta Constitución en forma tal que nieguen o menoscaben otros derechos que son patrimonio del pueblo.

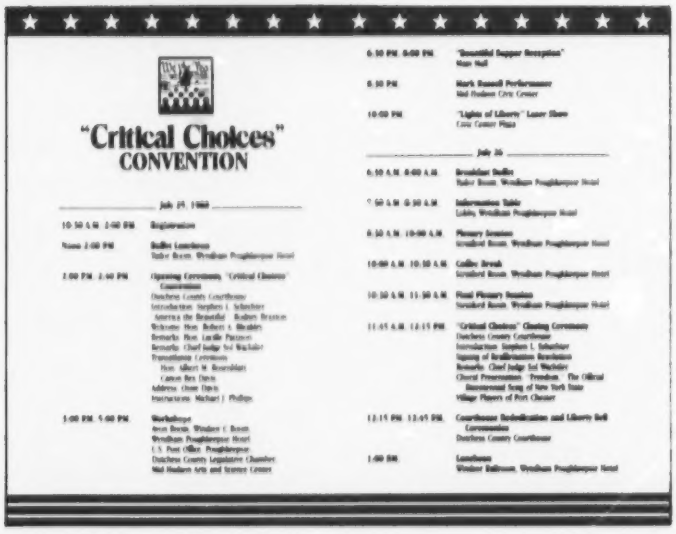
ARTICULO X

Los poderes que esta Constitución no delegare a los Estados Unidos, y los que la misma no prohíba a los Estados integrantes de la Confederación, habrán de reservarse para los Estados respectivos o para el pueblo.

A Spanish translation of the Bill of Rights was produced and distributed by the Commission to schools throughout the state.

COMMUNITY PROGRAMS





Program for "Critical Choices" convention.

RATIFICATION WEEK, JULY 23–30, 1988

To mark the bicentennial of New York's ratification of the United States Constitution, the Commission sponsored a series of special events across New York State which culminated in a statewide working conference in Poughkeepsie, the community which hosted the state ratification convention in July 1788.

The commemoration began with "Critical Choices" town meetings in dozens of localities from Long Island to the Niagara Frontier. Topics relating to the United States Constitution were selected from a list suggested by the Commission. The resolutions adopted at the meetings comprised the agenda for our conference, attended by more than 100 town meeting delegates. Conference workshops provided the forums for the discussion of issues which were later presented to and voted on at a plenary session. The Commission distributed a final report of the results of the conference to Governor Mario M. Cuomo, Hon. George H.W. Bush and Hon. Michael S. Dukakis (then major party candidates for the presidency of the United States), and our state and federal legislators.

Festivities included a performance by political commentator Mark Russell, a bell-ringing ceremony at the Dutchess County courthouse, site of the 1788 ratification convention, and numerous social, cultural, and educational events sponsored by a host of Dutchess County organizations.

* * * * *

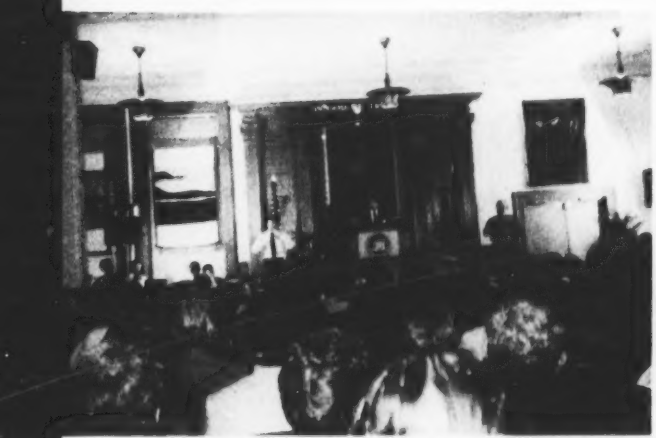
A sampling of additional Commission events will illustrate the nature and scope of the audiences we served.

The "Critical Choices" Leadership Conference, co-sponsored by Empire State College, was held at Saratoga Springs in September 1988. Community representatives attended workshops on programming and motivation, received practical advice regarding cooperative bicentennial efforts, and participated in substantive discussions on constitutional issues. Dr. A.E. Dick Howard of the University of Virginia was keynote speaker. Many of these 1988 participants became community organizers in the development of our 1989 programs.

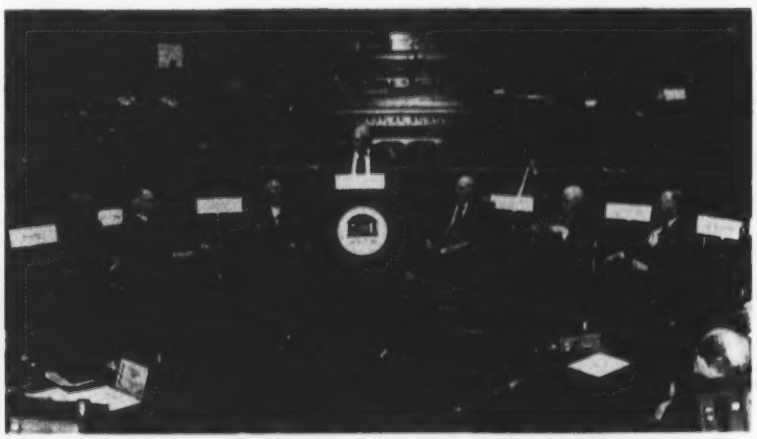
Student delegates Laura Kresch and Iris Nortman of White Plains.

Judge Wachtler grants an interview prior to the conference.

Humorist Mark Russell at the keyboard.



Opening session of the "Critical Choices" statewide conference, July 25, 1988, at the Dutchess County courthouse. Judge Wachtler is presiding.



Warren Moscow, Abbot Low Moffat, Governor Poletti, Hamilton Fish, Judge Bergan, and Henry W. Koch, Esq., participated in "Conversations with History." Richard Bartlett, Esq., presides.

RATIFICATION CELEBRATION
July 23-26, 1988
Poughkeepsie, New York

JULY 23

Ratification Festival, Victor Waryas Park

10:00 A.M. Historic Regatta
Sloop - Clearwater
Entertainment by the Hudson Valley Folk Guild
Ethnic Foods
Federal Ship - Hamilton

Historic Bicycle Tours
Poughkeepsie and Dutchess County

JULY 24

2:00 P.M. **Ratification Celebration Parade**
Grand Avenue to Stuyvesant Field
5:00 P.M. **"Americana Picnic,"** Bowdoin Park
10:00 P.M. Entertainment and Fireworks

JULY 25

2:00 P.M. **Egbert Benson Exhibit**
"Bridge to Liberty" Exhibit
Constitutional Documents Exhibit
Dutchess County Courthouse

2:00 P.M. **Opening Ceremony, "Critical Choices" Convention**
Dutchess County Courthouse
Welcome: Hon. Lucille Pattison, Dutchess County Executive
Remarks: Chief Judge Sol Wachtler
Address: Ossie Davis
Transatlantic ceremony: Chief Administrative Judge Albert M. Rosenblatt and Canon Rex Davis, Cathedral Church of St. Mary the Virgin, Lincoln, England
Seating limited. Contact NYSBIC.*

6:30 P.M. **Eighteenth Century "Bountiful Reception"**
8:00 P.M. Main Mall (Tickets: $15.00)

8:30 P.M. **Mark Russell Performance**
Mid-Hudson Civic Center (Tickets: $10.00, $15.00, $20.00)

10:00 P.M. **"Lights of Liberty" Laser Show**
Civic Center Plaza

JULY 26

10:00 A.M. **Egbert Benson Exhibit**
5:00 P.M. **"Bridge to Liberty" Exhibit**
Constitutional Documents Exhibit
Dutchess County Courthouse

11:45 A.M. **Closing Ceremony, "Critical Choices" Convention**
Dutchess County Courthouse
Signing of the historic resolution reaffirming New York State's commitment to the Union
Remarks: Chief Judge Sol Wachtler
Choral Presentation: Village Players of Port Chester
Seating limited. Contact NYSBIC.*

12:15 P.M. **Courthouse Rededication Ceremony: Ringing of Liberty Bell Replica**
Dutchess County Courthouse
Remarks by Chief Judge Sol Wachtler, Chief Administrative Judge Albert M. Rosenblatt,
Hon. Lucille Pattison, Dutchess County Executive, Hon. Robert A. Bicaldey, Mayor of Poughkeepsie

Ratification Gala, Vassar College

5:15 P.M. Reception, Vassar Chapel Lawn (Rose Parlor in case of rain)
6:30 P.M. Dutchess County Premiere of "An Empire of Reason,"
Vassar Chapel
8:00 P.M. Dinner, All-Campus Dining Center (Tickets: $45.00)

* New York State Bicentennial Commission
**Bicentennial of the Ratification of the Constitution

Souvenirs of the Ratification Celebration may be obtained at the Dutchess County Department of History, 22 Market Street, 6th Floor, Poughkeepsie; at the BOBOC** Information Center, 328 Main Mall, Poughkeepsie; and at the U.S. Post Office, Poughkeepsie.

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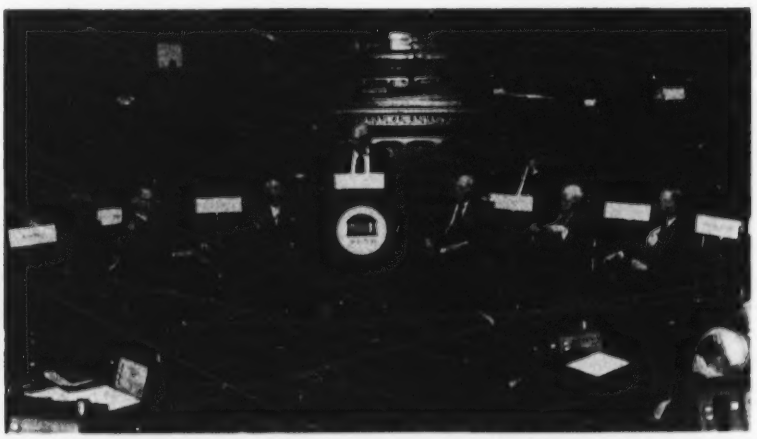

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"Critical Choices" 1989 In the fall of 1989, dozens of "Critical Choices" Town Meetings were held around the state, followed by a state conference held on November 8-9 in Albany. This event brought together one delegate from each town meeting to debate resolutions and make final recommendations for presentation to the governor and the New York State Legislature. That report was presented in 1990. Participants used the Commission's school and community manuals, *Critical Choices* to organize and produce town meetings. "Critical Choices" 1989 focused on Bill of Rights issues in commemoration of the 200th anniversary of the drafting of that document on September 25, 1789, in New York City.

The Commission also commemorated that event with special programs in courthouses and city halls throughout the state. For those events and for general distribution, the Commission produced more than 50,000 special printings of the Bill of Rights. With the cooperation of the Governor's Office of Hispanic Affairs, an additional 50,000 copies were printed in Spanish for school distribution.

Washington's Inauguration

The State Commission assisted the New York City Bicentennial Commission and other city organizations in their activities commemorating the 200th anniversary of the bicentennial of George Washington's inauguration on April 30, 1989.

Hamilton "Float"

The parade float, "Alexander Hamilton," continued to be a popular element of many community celebrations in 1989. The replica of the ship which appeared in New York City's constitutional celebration of 1788 rolled up thousands of miles across the state, appearing in parades and at other special events.

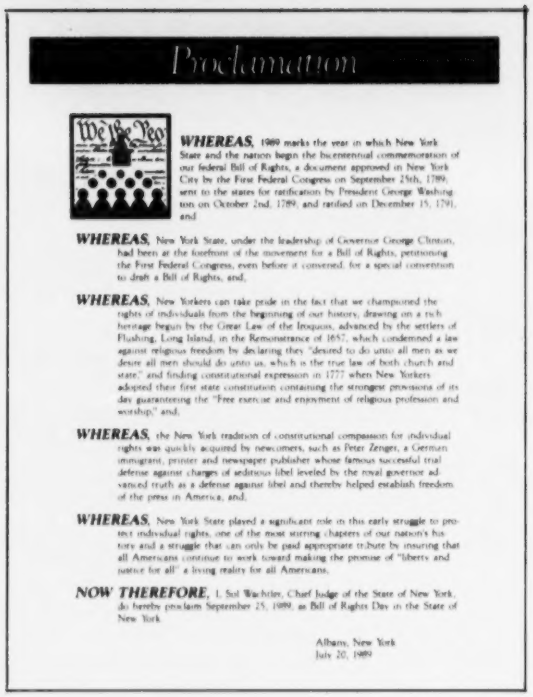
"Big Thunder" Day

Each year, the tiny Rensselaer County hamlet of Hoags Corners honors its nineteenth-century tenant farmers. Organized in the 1840's by a local physician known as "Big Thunder," the farmers challenged the economic stranglehold of the Hudson Valley manor lords in a series of clashes known as the Anti-Rent Wars.

In 1989, the Commission assisted the cultural and historical organizations which commemorate those nineteenth-century events of the mid-1840's by providing funds for a brochure identifying the Anti-Rent activists and describing the incidents with which they were associated. Research Director Thomas E. Burke contributed an overview of this rebellious period in New York's history, and Program Director Michael J. Phillips, disguised as a "Calico Indian," marched in the annual "Big Thunder" Day parade on July 4, 1989.

Bill of Rights Day

The courts of New York State observed the 200th anniversay of the drafting of the Bill of Rights with a tribute developed by the Commission. Brochures were mailed to every town, county, and supreme court judge throughout the state, many of whom organized programs that included the reading of the Bill of Rights and a proclamation drafted by Chief Judge Sol Wachtler. Those who participated in the September 25 activities received a copy of the Bill of Rights suitable for framing.



Proclamation

WHEREAS, 1989 marks the year in which New York State and the nation begin the bicentennial commemoration of our federal Bill of Rights, a document approved in New York City by the First Federal Congress on September 25th, 1789, sent to the states for ratification by President George Washington on October 2nd, 1789, and ratified on December 15, 1791, and

WHEREAS, New York State, under the leadership of Governor George Clinton, had been at the forefront of the movement for a Bill of Rights, petitioning the First Federal Congress, even before it convened, for a special convention to draft a Bill of Rights, and,

WHEREAS, New Yorkers can take pride in the fact that we championed the rights of individuals from the beginning of our history, drawing on a rich heritage begun by the Great Law of the Iroquois, advanced by the settlers of Flushing, Long Island, in the Remonstrance of 1657, which condemned a law against religious freedom by declaring they "desired to do unto all men as we desire all men should do unto us, which is the true law of both church and state," and finding constitutional expression in 1777 when New Yorkers adopted their first state constitution containing the strongest provisions of its day guaranteeing the "Free exercise and enjoyment of religious profession and worship," and,

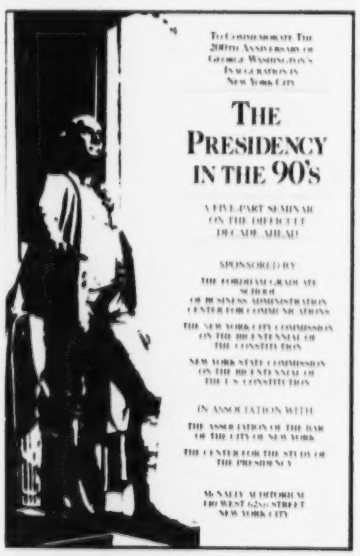
WHEREAS, the New York tradition of constitutional compassion for individual rights was quickly acquired by newcomers, such as Peter Zenger, a German immigrant, printer and newspaper publisher whose famous successful trial defense against charges of seditious libel leveled by the royal governor advanced truth as a defense against libel and thereby helped establish freedom of the press in America, and,

WHEREAS, New York State played a significant role in this early struggle to protect individual rights, one of the most stirring chapters of our nation's history and a struggle that can only be paid appropriate tribute by insuring that all Americans continue to work toward making the promise of "liberty and justice for all" a living reality for all Americans,

NOW THEREFORE, I, Sol Wachtler, Chief Judge of the State of New York, do hereby proclaim September 25, 1989, as Bill of Rights Day in the State of New York.

Albany, New York
July 20, 1989

Chief Judge Sol Wachtler proclaimed September 25, 1989, Bill of Rights Day in New York State.



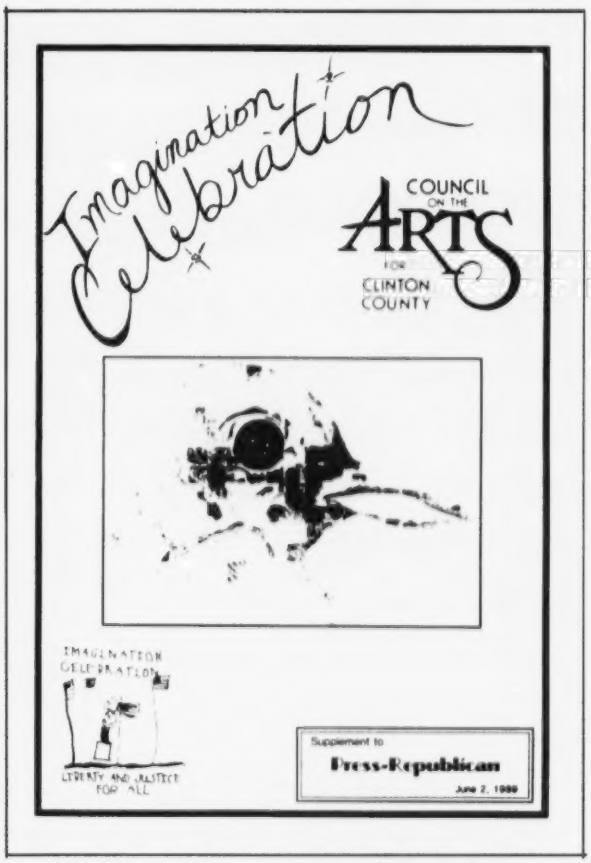
THE PRESIDENCY IN THE 90's

A FIVE-PART SEMINAR ON THE DIFFICULT DECADE AHEAD

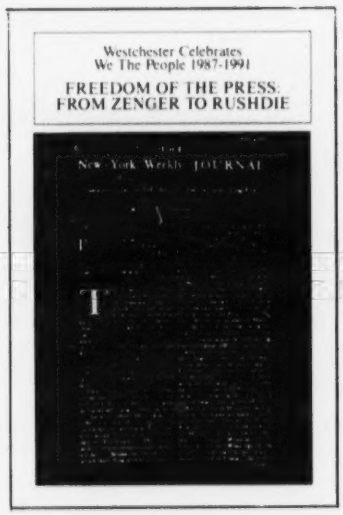
The Commission cosponsored a five-part seminar, "The Presidency in the 90's" held at Fordham University, April 26 and 27, 1989.

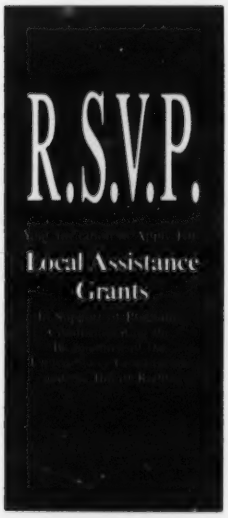
Trial Lawyers' Association Program

The annual dinner of the New York State Trial Lawyers' Association, at which Chief Judge Sol Wachtler received the Harlan Fisk Stone Award, provided an opportunity for the Commission to distribute an additional 1000 copies of the Bill of Rights to dinner guests.



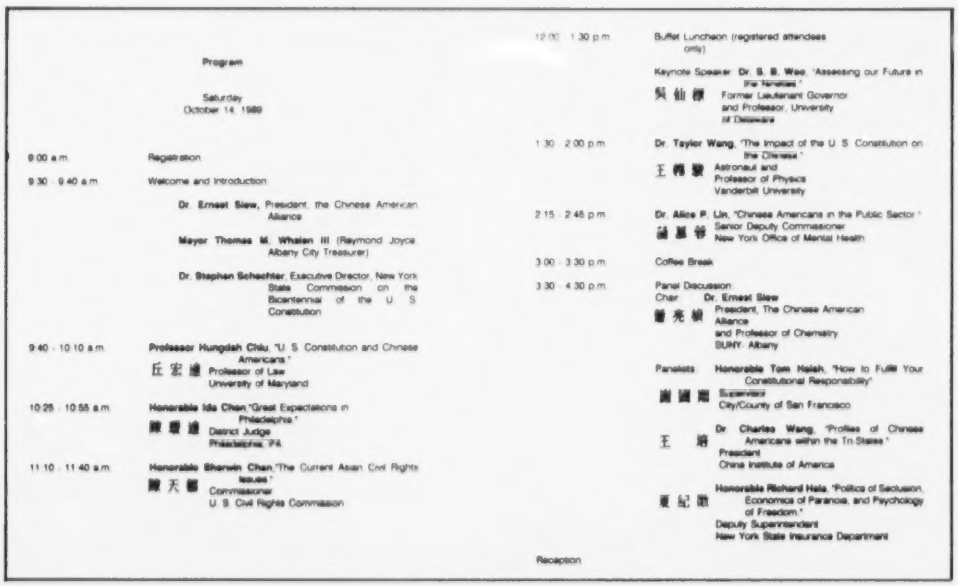
The Clinton County Council on the Arts used its local assistance grant to support a special youth supplement to the Press-Republican.





Left: The Westchester County Historian's Office has prepared a useful forty-two page booklet, Freedom of the Press: From Zenger to Rushdie *to commemorate the 200th anniversary of the Bill of Rights. An introduction by Susan Swanson refreshes the reader's recollection of the John Peter Zenger trial (1735), which raised truth as a defense against charges of seditious libel. Gara La Marche contributes "Some Censorship Trends in Censor-less America, 1989," on attempts to amend the First Amendment following recent flag-burning episodes and efforts to restrict federal funds in support of free expression of the arts. In "Media Freedom and the Public Interest," Reed Irvine warns against the dangers of an unchecked press and misuse of the media. The booklet complements Westchester County's 1989 "Critical Choices" Town Meeting, which examined freedom of the press. For your free copy, write County Historian, Michaelian Office Building 618, White Plains, New York 10601.*

Right: Our local assistance program distributed grants to more than 100 communities, schools and organizations around the state in 1989.



Program

Saturday
October 14, 1989

9:00 a.m. Registration

9:30 - 9:40 a.m. Welcome and Introduction

Dr. Ernest Siew, President, the Chinese American Alliance

Mayor Thomas M. Whalen III (Raymond Joyce Albany City Treasurer)

Dr. Stephen Schechter, Executive Director, New York State Commission on the Bicentennial of the U.S. Constitution

9:40 - 10:10 a.m. Professor Hungdah Chiu, "U.S. Constitution and Chinese Americans"
丘宏達 Professor of Law
University of Maryland

10:25 - 10:55 a.m. Honorable Ida Chen, "Great Expectations in Philadelphia"
陳慧達 District Judge
Philadelphia, PA

11:10 - 11:40 a.m. Honorable Sherwin Chan, "The Current Asian Civil Rights Issues"
陳天權 Commissioner
U.S. Civil Rights Commission

12:00 - 1:30 p.m. Buffet Luncheon (registered attendees only)

Keynote Speaker: Dr. S. B. Woo, "Assessing our Future in the Nineties"
吳仙樑 Former Lieutenant Governor and Professor, University of Delaware

1:30 - 2:00 p.m. Dr. Taylor Wang, "The Impact of the U.S. Constitution on the Chinese"
王冠雄 Astronaut and Professor of Physics
Vanderbilt University

2:15 - 2:45 p.m. Dr. Alice P. Lin, "Chinese Americans in the Public Sector"
Senior Deputy Commissioner
New York Office of Mental Health

3:00 - 3:30 p.m. Coffee Break

3:30 - 4:30 p.m. Panel Discussion
Chair: Dr. Ernest Siew
President, The Chinese American Alliance
and Professor of Chemistry
SUNY, Albany

Panelists: Honorable Tom Hsieh, "How to Fulfill Your Constitutional Responsibility"
Supervisor
City/County of San Francisco

Dr. Charles Wang, "Profiles of Chinese Americans within the Tri-States"
President
China Institute of America

Honorable Richard Hsia, "Politics of Seclusion, Economics of Paranoia, and Psychology of Freedom"
Deputy Superintendent
New York State Insurance Department

Reception

The Chinese-American Alliance of the Capital District presented a conference on the "U.S. Constitution and Chinese Americans," October 14, 1989. The conference was funded by a local assistance grant from the Commission.

GRANTS AND LOCAL ASSISTANCE

Many imaginative and substantive proposals were submitted to our local assistance review committee for funding in 1989. The funding criteria mandated that topics relate specifically to issues based on the drafting and adoption of Bill of Rights in New York State.

A grant was awarded to Fordham University for a major series of symposia on "The Presidency in the '90s." Videotapes and the proceedings of the symposia were distributed to every college in the state.

Grants also were awarded to the Museum of the City of New York for an exhibit, "Celebrating George," and to the Fraunces Tavern Museum for a public symposium, "The Changing Images of George Washington: New Perspectives." In addition, the Commission provided logistical support for a ceremony at New York City's South Street Seaport kicking off the week-long celebration. Elsewhere in this report, we describe our statewide "Inauguration Cantata" program and collaboration with the New York City Commission to publish their commemorative book, *Where the Experiment Began*.

More than 100 organizations received funding for programs relating to the bicentennial of the Bill of Rights. Grants included: (1) $250, enabling libraries to order books for a bicentennial bookshelf; (2) $750 grants to schools and communities to organize "Critical Choices" Town Meetings; (3) 20 other grants ($5,000 to $10,000) to schools, communities, and educational organizations for the development and dissemination of educational material of regional or statewide impact; and (5) grants in excess of $10,000 for major statewide programs, such as the Bill of Rights exhibits co-sponsored with the New York State Council on the Humanities and "The Presidency in the '90s" program co-sponsored with Fordham University. A complete list of grantees follows.

The Commission extends its appreciation to the hundreds of individuals and organizations who worked with us over the last three years in initiating, developing, and implementing our programs.

COMMISSION GRANTS
1989–90

ORGANIZATION	AWARD
Rod Rogers Dance Company, New York City	$ 2,000
Foundation for Citizenship Education (LGW)	750
Fraunces Tavern	6,000
United Federation of Teachers	500
Empire State College	10,000
New York University Libraries	250
Community School District 2 (Manhattan)	1,500
Community Board 2 (Manhattan)	750
Fordham University	45,500
New-York Historical Society	3,500
Museum of the City of New York	
Community Board 11 (Manhattan)	750
International Agency for Minority Artists	4,500
Association of the Bar of the City of New York	10,000
New York Council on the Humanities	15,000
South Street Seaport	3,929
George Washington High School, Manhattan	2,500
Morris High School, Bronx	4,500
Bronx Council on the Arts	750
Community Board 12, Bronx	750
Harry Truman High School/Museum of Migrating Peoples	3,892
Ossining High School	250
"We the People . . . Rye"	750
Marymount College	3,790
Westchester Community College	3,896
Westchester County Bicentennial Commission	10,750
Westchester Council for the Arts	2,250
Hastings Public Schools	5,435
Pelham Memorial High School	700
Orange County Historical Society	2,100
Hudson Vagabond Puppets, Inc.	8,500
Orange County	4,200
Community School District 19 (Manhattan)	1,800
Anthropology Museum, Queens College	500
Forest Hills High School	5,580
Intermediate School 238, Queens	750
Village of Mineola	750
Community School District 27 (Queens)	7,800
Freeport Arts Council	2,230

ORGANIZATION	AWARD
Intercounty Teacher Resource Center, Glen Cove	5,000
Glen Cove City Schools	7,000
Nassau County Bicentennial Commission	10,000
Suffolk Cooperative Library System	6,050
Connetquot Public Library	400
Brentwood Public Library	250
Society for the Preservation of L.I. Antiquities	5,000
Huntington Arts Council	3,975
South Huntington Public Library	600
Teachers' Center of Levittown	6,000
Town of Brookhaven	4,000
Northport-East Northport UFSD	7,000
Town of Oyster Bay Bicentennial Commission	3,900
Smithtown Arts Council	10,000
Affiliated Brookhaven Civic Organizations	750
Hicksville Public Library	250
Longwood Junior High School	982
Mastics-Moriches-Shirley Community Library	1,659
Mastics-Moriches-Shirley Community Library	750
Saratoga County Bicentennial Commission	5,375
Montgomery County Bicentennial Commission	1,770
Montgomery Heritage & Geneological Society	1,000
Glenmont Elementary School	5,500
City of Gloversville	1,800
Greenville High School	4,500
City of Johnstown Constitution Committee	2,500
Fulton County Bicentennial Committee	1,000
Albany BOCES	6,500
Hudson-Mohawk Association of Colleges	750
Schoharie County Historical Society	5,000
Schoharie County Bicentennial Commission	750
Russell Sage College, Troy	6,900
Rensselaer County Junior Museum	5,000
Albany County Hall of Records	4,262
College of Saint Rose	3,300
South Colonie Schools	3,895
Albany Law School	6,500
Chinese American Alliance, Albany	6,550
Mohonasen Central School	250
Schenectady County Human Rights Commission	1,533

ORGANIZATION	AWARD
Schenectady City School District	5,000
Schenectady Museum	6,750
Niskayuna Middle School	750
Kingston City Schools	3,950
Old Dutch Church Heritage Commission, Kingston	5,000
Highland Public Library	250
Hudson High School	2,100
Ulster BOCES School Library System	10,000
Dutchess County	7,500
Dutchess County	750
Sullivan County Community College	7,500
Adirondack Musical Artists-Mastersingers	5,000
Town of Salem Bicentennial Committee	2,500
Clinton County Arts Council	2,170
WCFE-TV Plattsburgh	3,500
Clinton County	750
Aurora Free Library	1,866
Canastota Public Library	1,000
Research Foundation SUNY, Cortland	6,313
McGraw Elementary School, McGraw	550
Greater Syracuse Chamber of Commerce	10,000
City of Syracuse	10,000
Central New York Social Studies Council	5,000
Project Legal, Syracuse	1,500
Canajoharie High School	750
Rome Historical Society	1,485
Gannett Library—Utica College	250
City of Ogdensburg	3,050
Ogdensburg Constitution Bicentennial Committee	750
Vestal Public Library	250
Research Foundation SUNY, Binghamton	5,000
Broome County Bicentennial Commission	1,500
Broome County Bicentennial Commission	4,650
Akron Central School District	250
Polish Union of America, Branch 15	2,500
City of Lockport, Department of Youth	1,000
St. Joseph's School, North Tonawanda	250
Bennet Park Montessori Center, Buffalo	250
Villa Maria Academy, Buffalo	250
Research Foundation, SUNY, Buffalo	750
Rochester Chapter Sons of American Revolution	630
Village of Castile	250
Livingston County Bicentennial Commission, Geneseo	1,525
League of Women Voters, Rochester	750
Rochester City School District	9,400
Gates Public Library, Rochester	250
Niagara Social Studies Council	500
City of Jamestown Bicentennial Commission	3,250
Jamestown Community College	2,900
Tompkins County Public Library	2,500
Chemung County Historical Society, Elmira	5,000
Chemung County Historical Society, Elmira	750

New York State Commission on the
Bicentennial of the U.S. Constitution

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